

Date of Hearing: June 16, 2026

ASSEMBLY COMMITTEE ON HUMAN SERVICES

Alex Lee, Chair

SB 902 (Grayson) – As Amended June 3, 2026

SENATE VOTE: 36-0

SUBJECT: Early childhood education and childcare: electronic signatures

SUMMARY: Clarifies that an electronic signature in compliance with the Uniform Electronic Transactions Act (UETA) may satisfy a signature required by the Child Care and Development Services Act. Authorizes documents with an electronic signature to be created and stored in an electronic format in compliance with UETA and authorizes the California Department of Social Services (CDSS) to adopt regulations to implement. Specifically, **this bill:**

- 1) Authorizes, notwithstanding any other law, a signature required by the Child Care and Development Services Act to be satisfied by use of an electronic signature, as defined, if the signature meets the requirements of the UETA.
- 2) Authorizes, notwithstanding any other law, documents required by the Child Care and Development Services Act that contain an electronic signature to be created and stored in an electronic format in compliance with the UETA.
- 3) Authorizes CDSS to adopt regulations to implement these provisions, including standards for authentication, consent, and record retention.
- 4) Makes conforming changes to the Education Code to update “digital” signature to “electronic” signature and to refer to the UETA.

EXISTING LAW:

- 1) Establishes the Child Care and Development Services Act to provide a comprehensive, coordinated, and cost-effective system of child care and development services for children from infancy to 13 years of age and their parents, including a full range of supervision, health, and support services through full- and part-time programs. (Welfare and Institutions Code [WIC] § 10207 *et seq.*)
- 2) Defines “alternative payment program” (APP) as a local government agency or nonprofit organization that has contracted with CDSS to provide alternative payments and to provide support services to parents and providers. (WIC § 10213.5(b))
- 3) Requires providers authorized to provide child care services to submit to an APP a monthly attendance record or invoice for each child who received services that, at a minimum, documents the dates and actual times care was provided each day, as specified, and requires this information to be documented on a daily basis. (WIC § 10227.5(a))
- 4) Requires the monthly attendance record or invoice to, at a minimum, be signed by the parent or guardian of the child receiving services and the child care provider once per month. Requires the verification of attendance be made by signature at the end of each month of care

and under penalty of perjury by both the parent or guardian and the child care provider. (WIC § 10227.5(b)(1))

- 5) Authorizes a child care provider to submit a monthly attendance record or invoice without a parent's signature when the parent has not communicated with the provider for a minimum of seven consecutive days, the provider has notified the county or APP of the parent's lack of communication, and the county or APP has documented the provider's unsuccessful attempts to collect a signature. (WIC §§ 10227.5(b)(2)(A); 10277(d))
- 6) Authorizes APPs and child care providers to use a digital signature that complies with state and federal standards, as determined by CDSS. The digital signature may be a marking that is either computer generated or produced by electronic means and is intended by the signatory to have the same effect as a handwritten signature. Provides that the use of a digital signature shall have the same force and effect as the use of a manual signature if the requirements for digital signatures and their acceptable technology, as provided in Government Code [GOV] Section 16.5 and state regulations, are satisfied. (WIC § 10232.5)
- 7) Authorizes contractors operating or providing services under the Child Care and Development Services Act to do both of the following:
 - a) Maintain records electronically, as specified, and retain records by each contractor for at least five years; and,
 - b) Use a digital signature, as specified, which shall have the same force and effect as the use of a manual signature. (WIC § 10269)
- 8) Provides that, in any written communication with a public entity, as defined, in which a signature is required or used, any party to the communication may affix a signature by use of a digital signature, which shall have the same force and effect as the use of a manual signature, if and only if, it embodies all of the following attributes:
 - a) It is unique to the person using it;
 - b) It is capable of verification;
 - c) It is under the sole control of the person using it;
 - d) It is linked to data in such a manner that if the data are changed, the digital signature is invalidated; and,
 - e) It conforms to regulations adopted by the Secretary of State, as specified. (GOV § 16.5)
- 9) Provides that an acceptable digital signature technology must be capable of creating signatures that conform to GOV § 16.5. (2 California Code of Regulations 22002)
- 10) Defines "digital signature" as an electronic identifier, created by a computer, intended by the party using it to have the same force and effect as the use of a manual signature. Provides that a digital signature is a type of "electronic signature". (GOV § 16.5(d))
- 11) Establishes UETA, which applies to electronic records and electronic signatures relating to a transaction. (Civil Code [CIV] § 1633.1 *et seq.*)

- 12) Defines “electronic signature” as an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. Specifies a “digital signature” is a type of electronic signature. (CIV § 1633.2(h))
- 13) Defines “electronic record” as a record created, generated, sent, communicated, received, or stored by electronic means. (CIV § 1633.2(g))
- 14) Specifies the circumstances under which an electronic record may satisfy a legal requirement for a record to be retained. (CIV § 1633.12)

FISCAL EFFECT: According to the Senate Committee on Appropriations, “pursuant to Senate Rule 28.8, the March 3, 2026, version of this bill would result in negligible state costs.”

COMMENTS: This analysis only discusses policy issues germane to the jurisdiction of the Assembly Committee on Human Services.

Background: *Electronic Signatures.* Existing law, UETA, provides that a record or signature may not be denied legal effect or enforceability solely because it is in electronic form. UETA further provides that an electronic signature satisfies any legal requirement for a signature if the parties to a transaction have agreed to conduct the transaction electronically. *This bill* clarifies that an electronic signature in compliance with UETA may satisfy a signature required by the Child Care and Development Services Act and authorizes CDSS to adopt regulations to implement, including standards for authentication, consent, and record retention.

The Early Childhood Development Act of 2020. SB 98 (Committee on Budget and Fiscal Review), Chapter 24, Statutes of 2020, authorized the transfer of the majority of California’s subsidized child care and development programs from the California Department of Education (CDE) to CDSS, effective July 1, 2021. Programs transferred to CDSS included Stages 2 and 3 of the California Work Opportunity and Responsibility to Kids (CalWORKs) Child Care Programs, General Child Care and Development Programs, APPs, Migrant Alternative Payment Programs, Migrant Child Care and Development Programs, Family Child Care Home Education Networks, child care and development services for children with severe disabilities, Child Care Resource and Referral, Local Child Care and Development Planning Councils, and the Child and Adult Care Food Program, among others. The California State Preschool Program remained with CDE under the Early Education Act. The transfer consolidated administrative authority over the subsidized child care system within a single department, aligning it with CDSS’s broader portfolio of family support and economic assistance programs, including CalWORKs. CDSS continues to engage in an ongoing transition process, including the development of new regulations, contractor guidance, and data systems to govern the transferred programs.

The Child Care and Development Services Act (Act) administered by CDSS, establishes a system of childcare and development services for children up to 13 years of age, including general childcare and development programs, migrant childcare programs, and APPs. APP contractors administer childcare subsidies by authorizing payments directly to providers chosen by eligible families, rather than operating childcare facilities themselves. Under existing law, contractors operating under the Act may use a digital signature that complies with state and federal standards, as determined by CDSS, and may maintain records electronically in compliance with those standards. Contractors are required to retain records for at least five years, or until the date

an audit is resolved, whichever is longer. Existing law does not require contractors to create records electronically. *This bill* extends electronic signature authority beyond contractors to the full universe of documents required under the Act.

The provisions of *this bill* seek to modernize the electronic signature framework for contractors and providers operating under the Act and conditioning the use of electronic signatures on compliance with UETA, rather than a patchwork of state and federal standards. *This bill* establishes a single, uniform legal standard by attaching signature authority to UETA.

Attendance Records under the Act. The requirements for attendance documentation in subsidized child care programs have evolved through a series of legislative changes over the past decade. Prior to 2014, APP and CalWORKs contractors were required to use sign-in and sign-out sheets, with a parent required to sign on a daily basis. AB 274 (Bonilla), Chapter 733, Statutes of 2013, required providers to submit a monthly attendance record or invoice that includes the dates and actual times a child entered and left care each day, with signatures of both the provider and parent at the end of each month attesting under penalty of perjury to the accuracy of the record.

AB 271 (Oberholte), Chapter 535, Statutes of 2015, and Assembly Bill 1712 (Oberholte), Chapter 753, Statutes of 2016, subsequently authorized APP contractors and then all child care contractors to use digital signatures on such records, provided those signatures complied with the technical standards prescribed in existing law. AB 131 (Committee on Budget), Chapter 21, Statutes of 2021, temporarily waived the parent signature requirement during the COVID-19 pandemic when a provider attempted but was unable to collect a signature. SB 140 (Committee on Budget and Fiscal Review), Chapter 193, Statutes of 2023, made a version of that flexibility permanent, authorizing a provider to submit a monthly attendance record or invoice without a parent's signature when the parent has not communicated with the provider for a minimum of seven consecutive days, the provider has notified the contractor of the parent's lack of communication, and the contractor has documented the provider's unsuccessful attempts to collect a signature.

The current digital signature authority for attendance records is based on a combination of statutory authority and regulations that predate modern electronic signature platforms. *This bill* would replace that structure by making UETA compliance the standard.

Author's Statement: According to the Author, "Families accessing subsidized childcare vouchers must submit multiple forms throughout the year, including eligibility applications, updates to work or school schedules, changes to providers, and corrections to attendance records. Paper-based processes require printing, mailing, or hand-delivering documents, which can be burdensome for parents juggling multiple jobs, caring for young children, or facing transportation or housing challenges. Missing or delayed signatures can slow access to care or stall reimbursement to providers for families using vouchers. This reliance on paper not only creates administrative inefficiencies but also treats voucher families as second-class participants in the childcare market, limiting their access to high-quality care and the same convenience and flexibility available to families paying privately. While current law generally recognizes digital and electronic signatures, the Child Care and Development Services Act (WIC Part 1.8) does not explicitly authorize current electronic options for signage or storage. This gap forces contractors serving families to rely on paper forms and in-person signatures, creating hurdles for families with inconsistent schedules or limited access to technology.

“[This bill] updates subsidized childcare paperwork practices by specifying that a signature required by the Child Care and Development Services Act may be satisfied by an electronic signature in compliance with the Uniform Electronic Transactions Act (UETA). Additionally, the bill authorizes the Department of Social Services to adopt regulations to implement these provisions. By aligning subsidized childcare paperwork with common practices already used in housing and health care, the bill supports timely access to care and strengthens family economic stability and workforce participation.”

Equity Implications: APP contractors process large volumes of documentation including provider agreements, family eligibility certifications, and payment authorizations often across geographically dispersed provider networks that include family childcare home providers and license-exempt providers who may lack the infrastructure to manage paper-based processes. Permitting electronic signatures compliant with UETA reduces administrative burden on both contractors and providers and supports more timely execution of agreements and authorizations.

This bill also expressly authorizes any signature required under the Act to be satisfied by an electronic signature meeting UETA requirements, and authorizes documents containing electronic signatures to be created and stored in electronic format. This provision applies broadly across the Act, not just to contractor operations, meaning it would apply to enrollment agreements and attendance records.

Double referral: Should this bill pass out of this Committee, it will be referred to the Assembly Committee on Education.

Arguments in Support: Child Care Resource Center states, “Families who rely on child care subsidies must complete paperwork throughout the year to stay eligible for care. When these forms require in-person or paper signatures, working parents can face delays, missed work, or long travel distances—especially families in rural areas or with changing schedules. These delays can interrupt care for children and slow payments to child care providers.

“[This bill] removes these barriers by allowing electronic signatures, an option families already use for health care, housing, and employment. The bill also preserves paper options for families and providers who prefer them.

“By reducing paperwork delays, [this bill] helps families maintain stable child care, supports providers in being paid on time, and allows the state to more effectively spend existing child care dollars that are already budgeted but too often held up by administrative processes. This bill improves access without creating new programs or costs.”

Arguments in Opposition: None on file.

RELATED AND PRIOR LEGISLATION:

SB 140 (Committee on Budget and Fiscal Review), Chapter 193, Statutes of 2023, a budget trailer bill, authorized a child care provider to submit a monthly attendance record without a parent’s signature when the parent has not communicated with the provider for a minimum of seven consecutive days, the provider has notified the county or APP agency of the parent’s lack of communication, and the county or APP agency has documented the provider’s unsuccessful attempts to collect a signature.

AB 865 (Quirk-Silva) of 2021, would have, among other things, removed the term “digital signature” and replaced it with “electronic signature”.

AB 131 (Committee on Budget), Chapter 116, Statutes of 2021, a budget trailer bill, allowed APPs and child care providers, from July 1, 2021, through June 30, 2022, or through the end of the state of emergency declared by the Governor in response to the COVID-19 pandemic, whichever period is shorter, to submit attendance records for reimbursements without a parent or guardian signature, subject to applicable guidance issued by CDSS or CDE.

SB 820 (Committee on Budget and Fiscal Review), Chapter 110, Statutes of 2020, a budget trailer bill, allowed APPs and child care providers, through June 30, 2021, to submit attendance records for reimbursements without a parent or guardian signature if the parent was unable to sign due to the COVID-19 pandemic.

AB 1712 (Obernolte), Chapter 324, Statutes of 2016, expanded authority for all child care contractors (not just APPs) to use digital signatures and required that those signatures have the same force and effect as manual signatures, as specified.

AB 2296 (Low), Chapter 144, Statutes of 2016, clarified that a “digital signature” is also a type of electronic signature for purposes of the UETA.

AB 271 (Obernolte), Chapter 476, Statutes of 2015, authorized APPs and child care providers to maintain electronic records, and authorized APPs to use digital signatures.

AB 274 (Bonilla), Chapter 733, Statutes of 2013, allowed APPs to maintain electronic records but prohibited documents or records created in paper form to be scanned and stored electronically. Records created in paper form were required to be stored in their original paper format.

REGISTERED SUPPORT / OPPOSITION:

Support

BANANAS (Co-Sponsor)
Child Action (Co-Sponsor)
Child Development Associates (Co-Sponsor)
Go Kids, INC (Co-Sponsor)
Hively (Co-Sponsor)
KinderCare Learning Companies (Co-Sponsor)
Thriving Families CA Foundation (Co-Sponsor)
4Cs of Alameda County
Alameda County Office of Education
California State PTA
Changing Tides Family Services
Child Care Resource Center
Child Development Incorporated
Child Development Resources of Ventura County, INC.
Community Action Partnership of San Luis Obispo County, INC.

Community Resources for Children
Connections for Children
Crystal Stairs, INC.
Del Norte Child Care Council
Early Care and Education Consortium
Early Edge California
Every Child California
First 5 Association of California
Head Start California
Kidango
KinderSystems
Low Income Investment Fund
Marin Child Care Council
MCT Technology
North Coast Opportunities
Pathways LA
Sierra Nevada Children's Services
Supportive Services, INC
Thriving Families California (TFC)
Valley Oak Children's Services, INC.

Opposition

None on file.

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