SENATE THIRD READING
SB 317 (Hurtado)
As Amended September 02, 2025
Majority vote

SUMMARY

Codifies the existing California Surveillance of Wastewaters (Cal-SuWers) network by requiring the California Department of Public Health (DPH), in consultation with participating wastewater treatment facilities, local health departments (LHDs), and other subject matter experts, to maintain the network to test, as appropriate for public health use, for pathogens, toxins, or other public health indicators in wastewater.

COMMENTS

What is wastewater? According to DPH′s website, wastewater, or sewage, is the ″dirty″ or used water that is generated from homes (from toilets, sinks, kitchens, showers, laundry, etc.) and from facilities like restaurants, schools, offices, or industrial buildings. It is not potable or drinking water. Wastewater is collected through a series of pipes and drains and transported to a wastewater treatment plant (WWTP) where it is cleaned and treated before being safely returned to the environment.

What is wastewater surveillance? According to DPH, wastewater surveillance, also known as Wastewater-Based Epidemiology (WBE), is a supplementary public health tool that can track the presence and amount of viruses or other disease-causing pathogens in wastewater. Samples for wastewater surveillance are generally collected as the wastewater enters a wastewater treatment plant before it begins the treatment process in which microbes, contaminants, and debris are removed from the wastewater. While testing these wastewater samples cannot determine the exact number of infected persons in the area being monitored, it can provide additional understanding about the presence or spread of diseases within a community to supplement other sources of public health information. For example, people infected with SARS-CoV-2, the virus that causes Coronavirus disease 2019 (COVID-19), can shed the virus in their feces for several days before they are able to get tested. Those viral fragments get flushed down the toilet where it gets mixed together with sewage from the entire community. By taking a small sample of wastewater at the wastewater treatment plant and looking for how much viral material is in it, wastewater surveillance can quickly provide public health with information about how much COVID-19 is impacting the entire community. This type of public health monitoring tool can provide useful information even as people change their testing habits over time and can sometimes provide early warning of increased disease activity. This information can help provide important information to help prepare public health, the community, and the healthcare system.

Who carries out wastewater surveillance in California? DPH coordinates with wastewater utilities, LHDs, academic researchers, and laboratories in California on wastewater surveillance for infectious disease pathogens of interest to public health (such as COVID-19, influenza, respiratory syncytial virus (RSV), mpox, and norovirus). Data collected from the Cal-SuWers Network, are submitted to the U.S. Centers for Disease Control and Prevention (CDC) National Wastewater Surveillance System (NWSS). DPH Cal-SuWers Program sites are monitored by

DPH Drinking Water and Radiation Lab (DWRL), which conducts testing of samples from several counties across the state.

How is wastewater surveillance funded and operated? According to information provided by the Los Angeles County Sanitation Districts, an organization which supports this bill, Cal-SuWers is funded and operated through a five-year Epidemiology and Laboratory Capacity (ELC) grant from the Centers for Disease Control and Prevention (CDC), of which two years remain. The program functions through voluntary participation by LHDs, wastewater treatment agencies, and other subject matter experts. The cost of physically collecting the wastewater samples is currently being covered either by the participating sanitation district on a voluntary basis, or sometimes subsidized partially by the CDC grant. Lab testing for DPH Cal-SuWers programs is done at DPH Drinking Water and Radiation Laboratory, supported by these ELC funds.

On March 24, 2025, DPH received notice from the CDC that it intends to immediately end a significant amount of state and local public health funding. According to background information received from DPH, ″although this funding was initially awarded during COVID-19, it also now supports, with prior federal approval, respiratory virus and vaccine preventable disease monitoring, testing and response, immunizations and vaccines for children, and health disparities efforts. This funding also supports the public health work and data systems improved during the pandemic, including continued response to COVID-19 disease and other respiratory and vaccine-preventable diseases that require similar resources. DPH estimates that grant terminations will result in a loss of at least $840 million of federal funding. More than $330 million of these funds were targeted at supporting public health efforts at the local level. There are also LHDs that are directly funded by the federal government that would increase this statewide total amount at risk.″ DPH received termination notices for three federal grants: ELC, Immunization and Vaccines for Children, and Health Disparities Grant. These grants were scheduled to end between May 2026 and July 2027, depending on the grant.

According to the Assembly Budget Committee′s *″Subcommittee Report 2025-2026 Budget″* published on June 9, 2025, the Assembly and Senate budget agreement includes $3,249,000 one-time allocation from the General Fund (GF) to support a statewide wastewater surveillance program of routine wastewater testing for detection of infectious diseases.

According to the Author
This bill requires DPH, in consultation with participating wastewater treatment facilities, LHDs, and other subject matter experts, to maintain the Cal-SuWers network. The author continues that this network of monitoring programs will continue to test for pathogens, toxins, and other public health indicators in California wastewater. The author contends that wastewater surveillance is a proven and cost-effective tool for public health monitoring, allowing for the early detection of infectious diseases. The author concludes that ensuring wastewater monitoring programs like Cal-SuWers will endure is of the upmost importance to safeguard food supply sources and California residents.

Arguments in Support
The California Association of Sanitation Agencies (CASA) supports this bill and states that wastewater surveillance offers an emerging and innovative tool for disease monitoring and provides an alternative metric for assessing the state of infectious diseases circulating in a community, even for underreported or asymptomatic outbreaks. CASA states that the surveillance data provided by the Cal-SuWers program has offered valuable insight into whether

a viral incident trend is increasing, decreasing, or plateauing in the community within a given sewer shed. CASA continues that this data is becoming increasingly important to support public health decision making, and for tracking incidence of new diseases in communities. CASA contends that looking to the future, WBE may be able to help California predict and respond to new influenza outbreaks, track antimicrobial resistance, and improve public health equity and will allow state and local health officials to respond far more quickly and effectively to the next pandemic. CASA concludes that it is essential that the Cal-SuWers Program is codified to keep this existing infrastructure in place, noting that disruption or lack of continuity for the program could result in the loss of hard-earned progress made by wastewater treatment facilities and public health departments across the country, potentially hindering their ability to predict and respond to current and future public health crises.

Arguments in Opposition
None.

FISCAL COMMENTS

According to the Assembly Committee on Appropriations, General Fund (GF) cost pressures in the millions of dollars annually to maintain the Cal-SuWers network and continue testing in future years. The 2025-26 state budget includes a GF allocation of $3.25 million to support a statewide wastewater surveillance program of routine wastewater testing for detection of infectious diseases.

VOTES

SENATE FLOOR: 38-0-2
YES: Allen, Alvarado-Gil, Archuleta, Arreguín, Ashby, Becker, Blakespear, Cabaldon, Caballero, Cervantes, Choi, Cortese, Dahle, Durazo, Gonzalez, Grayson, Grove, Hurtado, Jones, Laird, McGuire, McNerney, Menjivar, Niello, Ochoa Bogh, Padilla, Pérez, Richardson, Rubio, Seyarto, Smallwood-Cuevas, Stern, Strickland, Umberg, Valladares, Wahab, Weber Pierson, Wiener
ABS, ABST OR NV: Limón, Reyes

ASM HEALTH: 15-0-1
YES: Bonta, Chen, Addis, Aguiar-Curry, Caloza, Carrillo, Flora, Mark González, Krell, Patel, Patterson, Celeste Rodriguez, Sanchez, Schiavo, Sharp-Collins
ABS, ABST OR NV: Stefani

ASM ENVIRONMENTAL SAFETY AND TOXIC MATERIALS: 7-0-0
YES: Connolly, Ellis, Bauer-Kahan, Castillo, Lee, McKinnor, Papan

ASM APPROPRIATIONS: 11-0-4
YES: Wicks, Arambula, Calderon, Caloza, Elhawary, Fong, Mark González, Ahrens, Pacheco, Pellerin, Solache
ABS, ABST OR NV: Sanchez, Dixon, Ta, Tangipa

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