
VETO

Bill No: SB 317
Author: Hurtado (D), et al.
Enrolled: 9/13/25
Vote: 27

SENATE HEALTH COMMITTEE: 11-0, 4/23/25

AYES: Menjivar, Valladares, Durazo, Gonzalez, Grove, Limón, Padilla,
Richardson, Rubio, Weber Pierson, Wiener

SENATE APPROPRIATIONS COMMITTEE: 6-0, 5/23/25

AYES: Caballero, Seyarto, Cabaldon, Grayson, Richardson, Wahab
NO VOTE RECORDED: Dahle

SENATE FLOOR: 40-0, 9/11/25

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

ASSEMBLY FLOOR: 79-0, 9/8/25 - See last page for vote

SUBJECT: Wastewater surveillance

SOURCE: Author

DIGEST: This bill codifies the existing California Surveillance of Wastewaters (Cal-SuWers) program by requiring the California Department of Public Health, in consultation with participating wastewater treatment facilities, local health departments, and other subject matter experts, to maintain the network to test for pathogens, toxins, or other public health indicators in wastewater.

Assembly Amendments make nonsubstantive, clarifying changes.

ANALYSIS:

Existing law:

- 1) Establishes the California Department of Public Health (CDPH), directed by a state Public Health Officer (PHO), to be vested with all the duties, powers, purposes, functions, responsibilities, and jurisdictions as they relate to public health and licensing of health facilities. Gives the PHO broad authority to detect, monitor, and prevent the spread of communicable disease in the state. [Healthy and Safety Code (HSC) §131050 and §120130]
- 2) Requires CDPH to examine the causes of communicable disease in man and domestic animals occurring or likely to occur in this state. [HSC §120125]
- 3) Requires each county board of supervisors to appoint a local health officer (LHO). Requires LHOs to enforce and observe orders and ordinances of the board of supervisors, pertaining to the public health and sanitary matters, orders, including quarantine and other regulations prescribed by CDPH, and statutes relating to public health. [HSC §101000 and §101030]
- 4) Requires LHOs to immediately report to CDPH every discovered or known case or suspected case of certain reportable diseases. Requires LHOs to make reports that CDPH requires within 24 hours after investigation. [HSC §120190]

This bill:

- 1) Requires CDPH, in consultation with participating wastewater treatment facilities, local health departments (LHDs), and other subject matter experts, to maintain the Cal-SuWers network to test, as appropriate for public health use, for pathogens, toxins, and other public health indicators in wastewater. Requires testing to be conducted by CDPH or other monitoring programs in Cal-SuWers.
- 2) Defines “Cal-SuWers network” as the statewide wastewater surveillance program administered by CDPH that includes data from the Cal-SuWers program and data generated by and received from participating wastewater programs not administered by CDPH.
- 3) Makes participation in Cal-SuWers by LHDs and wastewater treatment facilities voluntary.

- 4) Requires CDPH to work with participating LHDs and wastewater treatment facilities to collect samples and to arrange for those samples to be tested by qualified laboratories.
- 5) Permits CDPH to consult with, or contract with, other wastewater epidemiology projects or public health programs being conducted or previously completed by nonprofits, nongovernmental organizations, academic institutions, and other governmental entities to maintain the mission of Cal-SuWers.
- 6) Permits CDPH to coordinate with health care providers, LHDs, and emergency response agencies to ensure wastewater surveillance data is used for early intervention, outbreak response, and public health planning.
- 7) Permits CDPH to communicate to the general public, through a publicly accessible website, to provide transparency and public awareness of wastewater-based disease monitoring. Permits the website to be maintained by an entity other than CDPH, and requires the website to:
 - a) Provide real-time data visualization of wastewater surveillance results, including regional trends and pathogen detection patterns;
 - b) Include educational materials and resources to help the public understand how wastewater surveillance supports public health; and,
 - c) Be updated to ensure current information is available to residents, public health officials, and policymakers.
- 8) Permits CDPH to utilize external funding sources to implement this bill, to solicit private donations or grants, and to accept moneys donated by other wastewater epidemiology or federal programs.

Comments

According to the author of this bill:

This bill requires CDPH, in consultation with participating wastewater treatment facilities, LHDs, and other subject matter experts, to maintain the Cal-SuWers network. This network of monitoring programs will continue to test for pathogens, toxins, and other public health indicators in California wastewater. Wastewater surveillance is a proven and cost-effective tool for public health monitoring, allowing for the early detection of infectious diseases. Ensuring wastewater monitoring programs like Cal-SuWers will endure is of the utmost importance to safeguard food supply sources and California residents.

Background

Cal-SuWers. Cal-SuWers is managed by CDPH and funded through a U.S. Centers for Disease Control and Prevention (CDC) Epidemiology and Laboratory Capacity (ELC) grant. Groups participating in wastewater monitoring include LHDs, wastewater utilities, academic researchers, commercial laboratories, and the CDC National Wastewater Surveillance System (NWSS). Typically, a wastewater utility is responsible for collecting samples on-site, but in some circumstances, partnerships between LHDs and utilities have been formed to collect and ship samples to a testing lab. Samples collected are tested for infectious disease pathogens including SARS-CoV-2, influenza, and mpox. Other programs that participate in the network or the NWSS may test for other pathogens. Data collected through the program are submitted to the NWSS. The cost of physically collecting the wastewater samples is covered by the participating sanitation district and sometimes subsidized by the ELC grant. Cal-SuWers sites are monitored by the CDPH Drinking Water and Radiation Lab, which tests samples from several counties. Cal-SuWers covers more than 60% of the state's population. According to CDPH, California has hundreds of active wastewater treatment plants, but due to resource constraints at the utility, laboratory, and public health levels, it is not currently feasible nor necessary to collect and test wastewater samples from all utilities in the state. CDPH states that the goal of Cal-SuWers is to serve as a sentinel surveillance system with enough wastewater treatment plants participating to be representative of most populations and regions of the state so that CDPH and LHDs have useful disease trends.

Federal grant reductions. On March 24, 2025, CDPH 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 CDPH, "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. CDPH 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 local health departments that are directly funded by the federal government that would increase this statewide total amount at risk." CDPH 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.

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

According to the Assembly Appropriations Committee, 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.

SUPPORT: (Verified 10/9/25)

California Association of Sanitation Agencies
California Nurses Association
Los Angeles County Sanitation Districts
Orange County Sanitation District

OPPOSITION: (Verified 10/9/25)

None received

ARGUMENTS IN SUPPORT: The California Association of Sanitation Agencies Municipal writes 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. Many wastewater agencies in California, across the nation, and around the globe, with the support of the CDC and of their own volition, have been cooperating with public health authorities by sampling their influent wastewater to determine the presence or absence of COVID-19, mpox, influenza, Respiratory Syncytial Virus (RSV), and other diseases. This testing ramped up in the early days of the COVID-19 pandemic, and has evolved into a robust network of monitoring programs managed by CDPH in coordination with the CDC, academia, public health laboratories, LHDs and wastewater agencies known as Cal-SuWers. 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. The Los Angeles County Sanitation Districts writes that in April 2020, the Sanitation Districts began testing for SARS-CoV-2 in wastewater to help public health officials manage the COVID-19 pandemic. Since then, the program has expanded through partnerships with additional laboratories and now includes sampling from two major treatment plants: the Warren Water Resource Facility,

serving 3.5 million people in the Los Angeles Basin, and the Lancaster Water Reclamation Plant. The testing scope has broadened to include not only COVID-19 but also Influenza A and B, RSV, mpox, Norovirus, Avian Flu (H5N1), and Human Metapneumovirus. Years of wastewater surveillance data show a consistent pattern: an increase in pathogen-specific genetic material in wastewater precedes corresponding increases in new cases and hospitalizations. This makes wastewater testing a timely, cost-effective early warning system, helping public health officials respond quickly to emerging threats. The Orange County Sanitation District states that this bill comes at a critical time, as the CDC faces significant budget cuts that threaten support for these surveillance programs. As such, this bill would allow flexibility to scale based on available funding, including both state and external sources such as grants and private donations. This ensures that the program can maintain a baseline level of surveillance. By building this capacity at the state level, this bill helps insulate California from the uncertainty of shifting federal priorities and enables a more resilient, proactive response to emerging threats. By investing in a comprehensive wastewater monitoring system, California can continue to be a leader in public health innovation and disease prevention.

GOVERNOR'S VETO MESSAGE:

This bill would require the California Department of Public Health (CDPH) to administer the statewide wastewater surveillance program, known as the California Surveillance of Wastewaters network (CalSuWers network), in consultation with local health departments, wastewater utilities, academic institutions, and other partners, to monitor pathogens and other public health indicators.

While I share the author's commitment to increasing surveillance tools available to monitor public health, this bill will result in ongoing General Fund cost pressures not accounted for in the 2025 Budget Act. In partnership with the Legislature this year, my Administration has enacted a balanced budget that recognizes the challenging fiscal landscape our state faces while maintaining our commitment to working families and our most vulnerable communities. With significant fiscal pressures and the federal government's hostile economic policies, it is vital that we remain disciplined when considering bills with significant fiscal implications that are not included in the budget, such as this measure.

ASSEMBLY FLOOR: 79-0, 9/8/25

AYES: Addis, Aguiar-Curry, Ahrens, Alanis, Alvarez, Arambula, Ávila Fariás, Bains, Bauer-Kahan, Bennett, Berman, Boerner, Bonta, Bryan, Calderon,

Caloza, Carrillo, Castillo, Chen, Connolly, Davies, DeMaio, Dixon, Elhawary, Ellis, Flora, Fong, Gabriel, Gallagher, Garcia, Gipson, Jeff Gonzalez, Mark González, Hadwick, Haney, Harabedian, Hart, Hoover, Irwin, Jackson, Johnson, Kalra, Krell, Lackey, Lee, Lowenthal, Macedo, McKinnor, Muratsuchi, Ortega, Pacheco, Papan, Patel, Patterson, Pellerin, Petrie-Norris, Quirk-Silva, Ramos, Ransom, Celeste Rodriguez, Michelle Rodriguez, Rogers, Blanca Rubio, Sanchez, Schiavo, Schultz, Sharp-Collins, Solache, Soria, Stefani, Ta, Tangipa, Valencia, Wallis, Ward, Wicks, Wilson, Zbur, Rivas

NO VOTE RECORDED: Nguyen

Prepared by: Melanie Moreno / HEALTH / (916) 651-4111
10/9/25 12:55:01

**** END ****