

State of Wisconsin



2023 Senate Bill 49

Date of enactment:
Date of publication*:

2023 WISCONSIN ACT

AN ACT to create 20.932 of the statutes; **relating to:** restricting state agencies and political subdivisions from regulation of utility service based on the type or source of energy.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.932 of the statutes is created to read:

20.932 Limitations on regulation of utility services. (1) **DEFINITIONS.** In this section:

(a) "Electric cooperative" means a cooperative association organized under ch. 185 for the purpose of producing or furnishing heat, light, power, or water to its members only.

(b) "Greenhouse gas" has the meaning given in s. 285.78 (1) (c).

(c) "Political subdivision" means a city, village, town, or county.

(d) "Public utility" has the meaning given in s. 196.01 (5).

(e) "Utility service" means any of the following:

1. Service, including electric, manufactured gas, liquefied petroleum gas, natural gas, hydrogen, fuel oil, a renewable source, or any other source, supplied by a public utility or electric cooperative that is capable of providing and authorized to provide the service for the property of an individual or entity.

2. Service to supply liquefied petroleum gas for the property of an individual or entity by a retailer, as defined under s. 101.16 (1) (d).

(2) **AUTHORITY TO RESTRICT SYSTEMS LIMITED.** (a) No state agency or political subdivision may do any of the following:

1. Place any restriction, either directly or in effect, on the connection or reconnection of a utility service based upon the type or source of energy to be delivered to a consumer.

2. Discriminate against a public utility, electric cooperative, or retailer, as defined under s. 101.16 (1) (d), based in whole or in part on the nature or source of the utility service provided for a consumer.

(b) This section does not affect the authority of a state agency or a political subdivision to do any of the following:

1. Manage or operate a public utility.

2. Take steps designed to reduce greenhouse gas emissions from facilities and operations of the state agency or political subdivision, including purchasing renewable energy.

(c) Nothing in this section shall affect the approval requirements established under s. 196.58 (6).

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."