

State of Wisconsin



2025 Senate Bill 556

Date of enactment:
Date of publication*:

2025 WISCONSIN ACT

AN ACT to amend 79.04 (4) (a), 79.04 (4) (b), 79.04 (8) (intro.), 79.04 (8) (a) and 79.04 (8) (b); to create 79.005 (1j), 79.005 (1L) and 79.04 (7m) of the statutes; relating to: providing utility aid payments for certain energy storage facilities.

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

SECTION 1. 79.005 (1j) of the statutes is created to read:

79.005 (1j) (a) “Energy storage facility” means property to which all of the following apply:

1. The property is interconnected to the electrical grid.
2. The property is designed to receive electrical energy, to store the electrical energy as another form of energy, and to convert that other form back into electrical energy.
3. The property delivers the electrical energy converted from some other form, as described in subd. 2., for sale or to use for providing reliability or economic benefits to the electrical grid.
4. The property is owned by a light, heat, and power company assessed under s. 76.28 (2) or 76.29 (2), not including property described in s. 66.0813 unless the property is owned or operated by a local governmental unit located outside the municipality, or by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825.

(b) “Energy storage facility” includes hydroelectric pumped storage, compressed air energy storage, regen-

erative fuel cells, batteries, superconducting magnetic energy storage, flywheels, thermal energy storage systems, and hydrogen storage, or a combination thereof, or any other similar technologies as determined by the federal energy regulatory commission.

SECTION 2. 79.005 (1L) of the statutes is created to read:

79.005 (1L) “Liquefied natural gas storage facility” means a liquefied natural gas storage facility owned by a light, heat, and power company assessed under s. 76.28 (2) or 76.29 (2), not including property described in s. 66.0813, unless the property is owned or operated by a local governmental unit located outside the municipality, by an electric cooperative assessed under ss. 76.07 and 76.48, respectively, or by a municipal electric company under s. 66.0825.

SECTION 3. 79.04 (4) (a) of the statutes is amended to read:

79.04 (4) (a) Annually, in addition to the amounts distributed under subs. (1), (5), (6), ~~and (7)~~, and (7m), the department of administration shall distribute \$50,000 to a municipality if spent nuclear fuel is stored within the municipality on December 31 of the preceding year. If a spent nuclear fuel storage facility is located within one mile of a municipality, that municipality shall receive \$10,000 annually and the municipality

* 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.”

where that storage facility is located shall receive \$40,000 annually.

SECTION 4. 79.04 (4) (b) of the statutes is amended to read:

79.04 (4) (b) Annually, in addition to the amounts distributed under subs. (2), (5), (6), ~~and (7)~~, and (7m), the department of administration shall distribute \$50,000 to a county if spent nuclear fuel is stored within the county on December 31 of the preceding year. If a spent nuclear fuel storage facility is located at a production plant located in more than one county, the payment shall be apportioned according to the formula under sub. (1) (c) 2., except that the formula, as it applies to municipalities in that subdivision, applies to counties in this paragraph. The payment under this paragraph may not be less than \$10,000 annually.

SECTION 5. 79.04 (7m) of the statutes is created to read:

79.04 (7m) (a) Annually, the department of administration, upon certification by the department of revenue, shall distribute a payment from the public utility account to each municipality and county in which an energy storage facility with a name-plate capacity of at least one megawatt is located. If the energy storage facility is located in a city or village, the city or village receives a payment equal to two-thirds of the product of the facility's name-plate capacity multiplied by \$1,000, and the county in which the energy storage facility is located receives a payment equal to one-third of the product of the facility's name-plate capacity multiplied by \$1,000. If the energy storage facility is located in a town, the town receives a payment equal to one-third of the product of the facility's name-plate capacity multiplied by \$1,000, and the county in which the energy storage facility is located receives a payment equal to two-thirds of the product of the facility's name-plate capacity multiplied by \$1,000.

(b) Annually, the department of administration, upon certification by the department of revenue, shall distribute a payment from the public utility account to each municipality and county in which a liquefied natural gas storage facility is located. If the liquefied natural gas storage facility is located in a city or village, the city or village receives a payment equal to 6 mills multiplied by the net book value of all liquefied natural gas storage facility property within the city or village, as determined by the department of revenue, on December 31 of the preceding year, and the county in which the liquefied natural gas storage facility is located receives a payment

equal to 3 mills multiplied by the same net book value of the liquefied natural gas storage facility property. If the liquefied natural gas storage facility is located in a town, the town receives a payment equal to 3 mills multiplied by the net book value of all liquefied natural gas storage facility property within the town, as determined by the department of revenue, on December 31 of the preceding year, and the county in which the liquefied natural gas storage facility is located receives a payment equal to 6 mills multiplied by the same net book value of the liquefied natural gas storage facility property.

SECTION 6. 79.04 (8) (intro.) of the statutes is amended to read:

79.04 (8) (intro.) All of the following apply to the payments for property of a production plant, energy storage facility, or liquefied natural gas storage facility that includes multiple power generation or storage units, except that this subsection applies only if the production plant's, energy storage facility's, or liquefied natural gas storage facility's first power generation or storage unit permanently ceases generating electricity or storing energy or natural gas after March 23, 2024:

SECTION 7. 79.04 (8) (a) of the statutes is amended to read:

79.04 (8) (a) No payment received by a municipality or county under sub. (1), (2), (6), ~~or (7)~~, or (7m) shall be reduced on the basis that one or more, but not all, of the power generation or storage units permanently cease generating electricity or storing energy or natural gas, and the amount of the payment shall be the amount that the municipality or county received in the year before the year in which the first power generation or storage unit permanently ceased generating electricity or storing energy or natural gas.

SECTION 8. 79.04 (8) (b) of the statutes is amended to read:

79.04 (8) (b) The payments under sub. (5) (a) or (b) shall not be made until the production plant, energy storage facility, or liquefied natural gas storage facility is decommissioned, and then the payments shall be determined on the basis of the amount of the payment received by the municipality or county under sub. (1), (2), (6), ~~or (7)~~, or (7m) in the year before the year in which the first power generation or storage unit permanently ceased generating electricity or storing energy or natural gas.

SECTION 9. Initial applicability.

(1) This act first applies to distributions made after January 1, 2027.