

Fiscal Estimate - 2023 Session

Original Updated Corrected Supplemental

LRB Number **23-2813/1** Introduction Number **SB-0791**

Description
exemptions from public utility regulation regarding electric vehicle charging stations, installation and operation of electric vehicle charging stations by state agencies or local governmental units, and imposing an excise tax on electric vehicle charging

Fiscal Effect

State:
 No State Fiscal Effect
 Indeterminate
 Increase Existing Appropriations Increase Existing Revenues Increase Costs - May be possible to absorb within agency's budget
 Decrease Existing Appropriations Decrease Existing Revenues Yes No
 Create New Appropriations Decrease Costs

Local:
 No Local Government Costs
 Indeterminate
 1. Increase Costs 3. Increase Revenue
 Permissive Mandatory Permissive Mandatory
 2. Decrease Costs 4. Decrease Revenue
 Permissive Mandatory Permissive Mandatory
 5. Types of Local Government Units Affected
 Towns Village Cities
 Counties Others
 School Districts WTCS Districts

Fund Sources Affected **Affected Ch. 20 Appropriations**
 GPR FED PRO PRS SEG SEGS

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Fiscal Estimate Narratives

PSC 12/26/2023

LRB Number	23-2813/1	Introduction Number	SB-0791	Estimate Type	Original
Description exemptions from public utility regulation regarding electric vehicle charging stations, installation and operation of electric vehicle charging stations by state agencies or local governmental units, and imposing an excise tax on electric vehicle charging					

Assumptions Used in Arriving at Fiscal Estimate

2023 Senate Bill 791 exempts those who supply electricity through an electric vehicle charging station to electric vehicles from regulation as a public utility, as long as all the electricity supplied is provided by their electric utility or retail electric cooperative. Under current law, the Public Service Commission regulates as a public utility anyone who directly or indirectly provides electricity to the public. The bill would prohibit local governments that do not operate an electric utility from owning, operating, managing, or leasing electric vehicle charging stations at which Level 1 or Level 2 chargers are available to the public, unless those chargers are available for public use for free. Local governments may own, operate, manage, or lease electric vehicle charging stations if the chargers are used solely to charge vehicles owned or leased by the local governmental unit and are not available to the public. Local governments may also authorize other entities to own and operate, on public property, electric vehicle charging stations that are available to the public. The bill would permit municipal electric utilities to own and operate electric vehicle charging stations that are available to the public and may charge a fee for use as long as no tax revenue subsidizes the charging stations and no revenue generated by the charging stations is transferred to the general fund of the municipality that owns the municipal electric utility. The bill would allow state agencies to own, operate, manage or lease electric vehicle charging stations only if the chargers are used solely to charge vehicles owned or leased by the state agency, and are not available for public use. Finally, the bill imposes an excise tax of 3 cents per kilowatt-hour on the electricity delivered or placed, for compensation, by an electric vehicle charging station into the battery or other energy storage device of an electric vehicle. The tax does not apply to electricity delivered or placed for no charge or by an electric vehicle charging station located at a residence. DOR enforces and collects the tax. There would be no fiscal effects to the Commission as a result of this bill.

Long-Range Fiscal Implications