



State of Wisconsin
2021 - 2022 LEGISLATURE

LRB-1136/P2
JK:kjf

DOA:.....Ziegler, BB0413 - Battery Storage Components for Renewable Energy Systems

FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TAXATION

OTHER TAXATION

Sales tax exemption for energy systems

Current law provides a sales and use tax exemption for a product that has as its power source wind energy, direct radiant energy received from the sun, or gas generated from anaerobic digestion of animal manure and other agricultural waste, if the product produces at least 200 watts of alternating current or 600 British thermal units per day. The sale of electricity or energy produced by the product is also exempt.

This bill modifies current law so that the exemption applies to solar power systems and wind energy systems that produce electrical or heat energy directly from the sun or wind and are capable of continuously producing at least 200 watts of alternating current or 600 British thermal units. In addition, the exemption applies to a waste energy system that produces electrical or heat energy directly from gas generated from anaerobic digestion of animal manure and other agricultural waste and are capable of continuously producing at least 200 watts of alternating current or 600 British thermal units. A system for which the exemption applies includes tangible personal property sold with the system that is used primarily to store or facilitate the storage of the electrical or heat energy produced by the system.

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 77.54 (56) (a) of the statutes is repealed.

SECTION 2. 77.54 (56) (ad) of the statutes is created to read:

77.54 **(56)** (ad) 1. The sales price from the sale of and the storage, use, or other consumption of a solar power system or wind energy system that produces usable electrical or heat energy directly from the sun or wind, if the system is capable of continuously producing at least 200 watts of alternating current or 600 British thermal units. A solar power system or wind energy system described under this subdivision includes tangible personal property sold with the system that is used primarily to store or facilitate the storage of the electrical or heat energy produced by the system, but does not include an uninterruptible power source that is designed primarily for computers. The exemption under this subdivision does not apply to tangible personal property designed for any use other than for a solar power system or wind energy system.

2. The sales price from the sale of and the storage, use, or other consumption of a waste energy system that produces usable electrical or heat energy directly from gas generated from anaerobic digestion of animal manure and other agricultural waste if the system is capable of continuously producing at least 200 watts of alternating current or 600 British thermal units. A system described under this subdivision includes tangible personal property sold with the system that is used

primarily to store or facilitate the storage of the electrical or heat energy produced by the system, but does not include an uninterruptible power source that is designed primarily for computers. The exemption under this subdivision does not apply to tangible personal property designed for any use other than for the waste energy system described in this subdivision.

SECTION 3. 77.54 (56) (b) of the statutes is amended to read:

77.54 **(56)** (b) Except for the sale of electricity or energy that is exempt from taxation under sub. (30), ~~beginning on July 1, 2011,~~ the sales price from the sale of and the storage, use, or other consumption of electricity or heat energy produced by a ~~product~~ system described under par. (a) ~~(a)~~ (ad).

SECTION 9437. Effective dates; Revenue.

(1) ENERGY SYSTEMS. The treatment of s. 77.54 (56) (a), (ad), and (b) takes effect on the first day of the 3rd month beginning after publication.

(END)