



2025 ASSEMBLY BILL 228

April 29, 2025 - Introduced by Representatives BORN, BROOKS, FRANKLIN, GREEN, B. JACOBSON, KNODL, KREIBICH, MELOTIK, NEDWESKI, O'CONNOR, PIWOWARCZYK, SNYDER and STEFFEN, cosponsored by Senators JAGLER and FEYEN. Referred to Committee on Ways and Means.

- 1 **AN ACT** *to create* 66.1105 (17) (c) of the statutes; **relating to:** tax incremental
2 financing districts containing qualified data centers.

Analysis by the Legislative Reference Bureau

Under current law, there is a sales and use tax exemption for certain property and items used to construct, operate, or renovate a qualified data center, as certified by the Wisconsin Economic Development Corporation. Also under current law, the equalized value of the taxable property of a new or amended tax incremental district (TID) plus the value increment of all existing TIDs in a city or village may not exceed 12 percent of the total equalized value of taxable property in the city or village.

Under this bill, the 12 percent rule does not apply to a TID that contains within its boundaries a qualified data center certified by WEDC if all of the project costs of the TID are related to the qualified data center.

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:

- 3 **SECTION 1.** 66.1105 (17) (c) of the statutes is created to read:

ASSEMBLY BILL 228**SECTION 1**

1 66.1105 (17) (c) *Data center districts*. 1. In this paragraph:

2 a. “Data center” means a qualified data center certified under s. 238.40 (2).

3 b. “Data center district” means a tax incremental district that contains
4 within its boundaries a data center.

5 2. If all project costs of a data center district are related to a data center
6 located within the district, the 12 percent limit findings requirement described
7 under sub. (4) (gm) 4. c. does not apply to the creation of the data center district or
8 the amendment of a project plan for the data center district.

9 3. No project plan of a data center district that was excepted under subd. 2.
10 from the 12 percent findings requirement described under sub. (4) (gm) 4. c. may be
11 amended to include project costs not related to a data center located within the
12 district.

13 4. When the local legislative body makes a calculation under sub. (4) (gm) 4. c.
14 for a tax incremental district, the calculation may not include the value increment
15 of any data center district that was excepted under subd. 2. from the 12 percent
16 findings requirement described under sub. (4) (gm) 4. c.

17 **(END)**