



Legislative Fiscal Bureau

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January 11, 2024

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Senate Bill 792/Assembly Bill 847: Electric Vehicle Infrastructure Program and Appropriations

Senate Bill (SB) 792 was introduced on December 8, 2023, and referred to the Senate Committee on Utilities and Technology. The Committee held a public hearing on December 19, 2023.

Assembly Bill (AB) 847 was introduced on December 22, 2023, and referred to the Assembly Committee on Energy and Utilities. The Committee held a public hearing on January 9, 2024.

BACKGROUND

The November, 2021, Bipartisan Infrastructure Law includes the five-year authorization of a newly-created national electric vehicle Infrastructure (NEVI) program to provide funding to states to deploy electric vehicle (EV) charging infrastructure. The NEVI program includes both a formula and discretionary component. Wisconsin is eligible to receive an estimated \$78.7 million in NEVI program formula funds through federal fiscal year (FFY) 2026.

The NEVI formula grant program will provide Wisconsin with \$11.6 million in FFY 2022, and an estimated \$16.8 million annually over the next four years. According to the Department of Transportation (DOT), FFY 2022 and FFY 2023 funding is available now, and with the September 29, 2023, approval of the state's 2023 NEVI Plan Update by FHWA, FFY 2024 is also now available.

Wisconsin's NEVI Program will provide federal funding reimbursement of up to 80% of the eligible costs associated with awarded EV charging infrastructure grant projects. Grant awardees must provide a minimum of 20% non-federal cost-share for the project. On January 2, 2024, DOT released the NEVI Program Round 1 request for proposal to seek competitive grant proposals for eligible entities to install, own, operate, maintain, and report on NEVI Formula Program funded and compliant EV charging stations.

SUMMARY OF BILLS

Specify that DOT may establish and administer an EV infrastructure program, and may provide funding for EV infrastructure projects eligible for funding under state or federal law, including under the NEVI Formula Program as provided in federal law (Division J, Title VIII, of P.L. 117-58).

Create the following three appropriations under DOT: (a) an all moneys received continuing appropriation to receive federal funding for the purposes of the EV infrastructure program as created under the bill; (b) an all moneys received continuing appropriation to receive funding from local units of government or other source for the purposes of the EV infrastructure program as created under the bill; and (c) a SEG continuing appropriation for the amounts in the schedule for the EV infrastructure program as created under the bill. Specify that all funding that DOT uses to establish and administer an EV infrastructure program be from these three appropriations. Specify that the amounts in the schedule for the SEG appropriation be \$0 for both 2023-24 and 2024-25.

FISCAL EFFECT

No expenditure authority is provided to the three appropriations created under SB 792/AB 847. The Department would still have access to the federal NEVI funding because the federal appropriation created under the bill would be an all monies received appropriation. Should SB 791/AB 846 and SB 792/AB 847 be enacted, the estimated federal NEVI funding available to DOT would be \$45.2 million for 2023-24, and \$16.8 million for 2024-25. The 2023-24 amount equals the federal fiscal year (FFY) 2022, FFY 2023 FFY 2024 NEVI program allocations which have been made available by the FHWA. The 2024-25 amount equals the FFY 2025 allocation which would be made available sometime next year by FHWA, assuming approval of DOT's NEVI plan update to be submitted by DOT in 2024. The estimated funding in the all monies received local funds continuing appropriation would equal 20% of federal funding expended in any year.

Prepared by: Ryan Horton