



**SENATE SUBSTITUTE AMENDMENT 1,
TO SENATE BILL 49**

May 15, 2023 - Offered by Senator BRADLEY.

1 **AN ACT** *to create* 20.932 of the statutes; **relating to:** restricting state agencies
2 and political subdivisions from regulation of utility service based on the type
3 or source of energy.

Analysis by the Legislative Reference Bureau

This bill prohibits a state agency, city, village, town, or county from placing any restriction on the connection or reconnection of a utility service based on the type or source of energy to be provided. The bill also prohibits a state agency, city, village, town, or county from discriminating against a public utility, an electric cooperative, or a liquified petroleum gas retailer, as defined in the bill, based in whole or in part on the nature or source of the service to be provided to a consumer. The bill provides that it does not affect the authority of a state agency, city, village, town, or county to either 1) manage or operate a public utility; or 2) take steps designed to reduce greenhouse gas emissions from facilities and operations of the state agency, city, village, town, or county, including purchasing renewable energy.

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

4 **SECTION 1.** 20.932 of the statutes is created to read:

1 **20.932 Limitations on regulation of utility services. (1) DEFINITIONS.** In
2 this section:

3 (a) “Electric cooperative” means a cooperative association organized under ch.
4 185 for the purpose of producing or furnishing heat, light, power, or water to its
5 members only.

6 (b) “Greenhouse gas” has the meaning given in s. 285.78 (1) (c).

7 (c) “Political subdivision” means a city, village, town, or county.

8 (d) “Public utility” has the meaning given in s. 196.01 (5).

9 (e) “Utility service” means any of the following:

10 1. Service, including electric, manufactured gas, liquefied petroleum gas,
11 natural gas, hydrogen, fuel oil, a renewable source, or any other source, supplied by
12 a public utility or electric cooperative that is capable of providing and authorized to
13 provide the service for the property of an individual or entity.

14 2. Service to supply liquified petroleum gas for the property of an individual
15 or entity by a retailer, as defined under s. 101.16 (1) (d).

16 **(2) AUTHORITY TO RESTRICT SYSTEMS LIMITED.** (a) No state agency or political
17 subdivision may do any of the following:

18 1. Place any restriction, either directly or in effect, on the connection or
19 reconnection of a utility service based upon the type or source of energy to be
20 delivered to a consumer.

21 2. Discriminate against a public utility, electric cooperative, or retailer, as
22 defined under s. 101.16 (1) (d), based in whole or in part on the nature or source of
23 the utility service provided for a consumer.

24 (b) This section does not affect the authority of a state agency or a political
25 subdivision to do any of the following:

1 1. Manage or operate a public utility.

2 2. Take steps designed to reduce greenhouse gas emissions from facilities and
3 operations of the state agency or political subdivision, including purchasing
4 renewable energy.

5 (c) Nothing in this section shall affect the approval requirements established
6 under s. 196.58 (6).

7 (END)