



State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-1212/1

KP:emw

2025 ASSEMBLY BILL 108

March 11, 2025 - Introduced by Representatives SORTWELL, STEFFEN, WITTKE, CALLAHAN, DITTRICH, GREEN, GUSTAFSON, KNODL, MOSES, MURPHY, MURSAU, O'CONNOR, SNYDER, SPIROS, SUBECK, TUSLER, ZIMMERMAN and WICHGERS, cosponsored by Senators BRADLEY, FEYEN and WANGGAARD. Referred to Committee on Jobs and Economy.

AN ACT *to renumber* 196.491 (3) (g); *to create* 20.155 (1) (a), 196.025 (8) and 196.491 (3) (g) 2. of the statutes; **relating to:** a nuclear power siting study and time limits for taking final action on certain certificate of public convenience and necessity applications.

Analysis by the Legislative Reference Bureau

This bill requires the Public Service Commission to conduct a nuclear power siting study and to submit a report to the legislature containing the results of the study no later than 12 months after the bill takes effect. The study must satisfy certain requirements specified in the bill.

The bill also requires PSC to take final action on an application for a certificate of public convenience and necessity (CPCN) for a large electric generating facility that contains an advanced nuclear reactor within 150 days after the application is complete, unless the chairperson of PSC extends the time period for no more than an additional 150 days for good cause. Under current law, a person seeking to construct a large electric generating facility must obtain a CPCN from PSC.

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

ASSEMBLY BILL 108**SECTION 1**

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

SECTION 1. 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

2025-26 2026-27

20.155 Public service commission

(1) REGULATION OF PUBLIC UTILITIES

(a) Nuclear power siting study GPR C -0- -0-

SECTION 2. 20.155 (1) (a) of the statutes is created to read:

20.155 (1) (a) *Nuclear power siting study.* As a continuing appropriation, the amounts in the schedule for conducting the nuclear power siting study under s. 196.025 (8) (b).

SECTION 3. 196.025 (8) of the statutes is created to read:

196.025 (8) NUCLEAR POWER SITING STUDY. (a) *Definition.* In this subsection, “advanced nuclear reactor” has the meaning given in 42 USC 16271 (b) (1).

(b) *Nuclear power siting study.* 1. The commission shall conduct a nuclear power siting study that does all of the following:

a. Identifies nuclear power generation opportunities on existing nuclear and nonnuclear power generation sites.

b. Identifies new nuclear power and fusion energy generation sites not currently dedicated to power generation.

c. Identifies sites for the development and demonstration of nuclear power generation and advanced technologies derived from and associated with nuclear fission and fusion, including advanced nuclear reactors.

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d. Develops and provides guidance for advanced nuclear fission and fusion reactors including small modular reactors and fusion energy generating technologies.

e. Considers the siting study conducted by the U.S. department of energy in 2024, titled “Evaluation of Nuclear Power Plant and Coal Power Plant Sites for New Nuclear Capacity.”

2. The commission may use a request-for-proposal process to contract with a 3rd party to conduct all or part of the study required under subd. 1.

3. On or before the first day of 13th month beginning after the effective date of this subdivision [LRB inserts date], the commission shall submit a report containing the results of the study required under subd. 1. to the legislature in the manner provided in s. 13.172 (2).

SECTION 4. 196.491 (3) (g) of the statutes is renumbered 196.491 (3) (g) 1.

SECTION 5. 196.491 (3) (g) 2. of the statutes is created to read:

196.491 (3) (g) 2. Notwithstanding subd. 1., the commission shall take final action on an application filed under par. (a) 1. for a large electric generating facility that contains an advanced nuclear reactor, as defined in s. 196.025 (8) (a), within 150 days after the application is determined or considered to be complete under par. (a) 2. If the commission fails to take final action within the 150-day period, the commission is considered to have issued a certificate of public convenience and necessity with respect to the application, unless the chairperson of the commission extends the time period for no more than an additional 150 days for good cause. If the commission fails to take action within the extended period, the commission is

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considered to have issued a certificate of public convenience and necessity with respect to the application.

SECTION 6. Initial applicability.

(1) The treatment of s. 196.491 (3) (g) 2. first applies to an application for a certificate of public convenience and necessity that is determined or considered by the public service commission to be complete on the effective date of this subsection.

SECTION 7. Effective date.

(1) This act takes effect on the day after publication, or on the 2nd day after publication of the 2025 biennial budget act, whichever is later.

(END)