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# Wisconsin Legislative Council

## ACT MEMO

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**2023 Wisconsin Act 65**  
[2023 Senate Bill 140]

**Financial Assistance for  
Dam Removal**

### BACKGROUND

The Department of Natural Resources provides grants to: (1) certain local units of government for projects to repair, modify, remove, or otherwise increase the safety of a dam; and (2) private owners for dam removal projects. The grant amounts are subject to a statutory cap.

Prior to the enactment of 2021 Wisconsin Act 58 (the 2021-23 Biennial Budget Act), the grants were generally capped at no more than 50 percent of the first \$400,000 in project costs and no more than 25 percent in remaining project costs, with a total cap of \$400,000 in grant funds per project. However, prior law provided an exception for grants for dam removal. Specifically, dam removal project grants were subject only to the total cap of \$400,000, and were not subject to the 50 percent and 25 percent cost caps.

The 2021-23 Biennial Budget Act increased the cap on grants for dam safety projects to \$1 million per project and adjusted the percent-of-cost caps accordingly, to no more than 50 percent of the first \$1 million and 25 percent of remaining project costs. However, that act did not include an exception from the 50 percent and 25 percent caps for dam removal projects, as prior law had done.

### 2023 WISCONSIN ACT 65

2023 Wisconsin Act 65 restores the approach to exempting dam removal projects from the 50 percent and 25 percent project cost caps that had been in effect prior to the enactment of 2021 Wisconsin Act 58. In other words, the act exempts dam removal projects from the caps on the percentage of costs that may be covered by a grant for a project to remove a dam, but it retains the overall spending cap of \$1 million per project for dam removal projects.

**Effective date:** December 8, 2023

For a full history of the bill, visit the Legislature's [bill history page](#).

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