



2025 BILL

1 **AN ACT** *to create* 134.44 of the statutes; **relating to:** moratorium on data
2 centers.

Analysis by the Legislative Reference Bureau

This bill prohibits the operation of a data center in Wisconsin unless all of the following are provided by law, as determined by the secretary of agriculture, trade and consumer protection:

1. The establishment of a statewide data center planning authority.
2. A prohibition on shifting data center energy and water costs to residential customers.
3. A prohibition on shifting data center energy infrastructure costs to residential customers.
4. The creation of a land and community recovery funding mechanism.
5. The elimination of state and local financial subsidies.
6. Mandatory data center public reporting of water and electricity usage.
7. The creation of data center specific safeguards concerning air, water, and noise pollution to protect the environment and people's health.
8. A requirement that 100 percent of energy derived for data centers must be provided for by newly built, directly accessible renewable energy.
9. A requirement that the contractor constructing the newly built, directly accessible renewable energy projects required for purposes of the bill pay either a prevailing wage or collectively bargained wages.

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10. A requirement that the contractor constructing any data center pay either a prevailing wage or collectively bargained wages.

11. The restoration of the Public Service Commission's integrated resource planning authority.

12. A prohibition on nondisclosure agreements between data centers, data center developers, utilities, and local government officials.

13. A requirement that data centers must receive prior approval by referendum of the electors of the municipality where the data center is to be located.

14. The creation of an enforcement and penalty structure specific to data centers.

For purposes of the bill, a data center is a facility having a primary purpose of storing, managing, and processing digital data and that has at least 5,000 servers, occupies at least 10,000 square feet, or has an electricity demand of at least 100 megawatts.

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

1 **SECTION 1.** 134.44 of the statutes is created to read:

2 **134.44 Data center moratorium.** (1) DEFINITION. In this subsection,
3 "data center" means a facility having a primary purpose of storing, managing, and
4 processing digital data and that satisfies any of the following:

5 (a) Has at least 5,000 servers.

6 (b) Occupies at least 10,000 square feet.

7 (c) Has an electricity demand of at least 100 megawatts.

8 (2) MORATORIUM. No person may operate a data center in this state unless all
9 of the following are provided by law, as determined by the secretary of agriculture,
10 trade and consumer protection:

11 (a) The establishment of a statewide data center planning authority.

12 (b) A prohibition on shifting data center energy and water costs to residential
13 customers.

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1 (c) A prohibition on shifting data center energy infrastructure costs to
2 residential customers.

3 (d) The creation of a land and community recovery funding mechanism.

4 (e) The elimination of state and local financial subsidies.

5 (f) Mandatory data center public reporting of water and electricity usage.

6 (g) The creation of data center specific safeguards concerning air, water, and
7 noise pollution to protect the environment and people's health.

8 (h) A requirement that 100 percent of energy derived for data centers must be
9 provided for by newly built, directly accessible renewable energy.

10 (i) A requirement that the contractor constructing the newly built, directly
11 accessible renewable energy projects required for purposes of par. (h) pay either a
12 prevailing wage or collectively bargained wages.

13 (j) A requirement that the contractor constructing any data center pay either
14 a prevailing wage or collectively bargained wages.

15 (k) The restoration of the public service commission's integrated resource
16 planning authority.

17 (L) A prohibition on nondisclosure agreements between data centers, data
18 center developers, utilities, and local government officials.

19 (m) A requirement that data centers must receive prior approval by
20 referendum of the electors of the municipality where the data center is to be located.

21 (n) The creation of an enforcement and penalty structure specific to data
22 centers.

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(END)