



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRBa0943/1  
KP:skw

**SENATE AMENDMENT 2,  
TO SENATE BILL 791**

January 11, 2024 - Offered by Senator MARKLEIN.

1           At the locations indicated, amend the bill as follows:

2           **1.** Page 3, line 13: after that line insert:

3           “(4) Notwithstanding sub. (2), a state agency may own, operate, manage, or  
4           lease an electric vehicle charging station at which a Level 1 charger or a Level 2  
5           charger installed on or after the day after publication of 2023 Wisconsin Act ... (this  
6           act) ... [LRB inserts date], is available to the public if the state agency charges a  
7           reasonable fee for the electricity delivered or placed by all such Level 1 chargers and  
8           Level 2 chargers.”

9           **2.** Page 4, line 15: after “chargers” insert “installed before the day after  
10          publication of 2023 Wisconsin Act ... (this act) ... [LRB inserts date]”.

11          **3.** Page 7, line 1: after “(71)” insert “(a)”.

12          **4.** Page 7, line 3: after that line insert:

1           “(b) The sales price from the sale of electricity delivered or placed by a Level  
2           1 charger or a Level 2 charger installed on or after the day after publication of 2023  
3           Wisconsin Act ... (this act) ... [LRB inserts date], of an electric vehicle charging  
4           station, as defined in s. 77.997 (1), into the battery or other energy storage device of  
5           an electric vehicle.”.

6           **5.** Page 7, line 11: after “Level 3 charger” insert “or containing a Level 1  
7           charger, as defined in s. 16.9565 (1) (a), or a Level 2 charger, as defined in s. 16.9565  
8           (1) (b), installed on or after the day after publication of 2023 Wisconsin Act ... (this  
9           act) ... [LRB inserts date],”.

10          **6.** Page 8, line 6: after that line insert:

11           “(am) 1. Except as provided in par. (b), a tax is imposed at the rate of 3 cents  
12           per kilowatt-hour on the electricity delivered or placed by a Level 1 charger, as  
13           defined in s. 16.9565 (1) (a), or a Level 2 charger, as defined in s. 16.9565 (1) (b), of  
14           an electric vehicle charging station into the battery or other energy storage device  
15           of an electric vehicle.

16           2. The tax imposed under this paragraph applies only to a Level 1 charger, as  
17           defined in s. 16.9565 (1) (a), or a Level 2 charger, as defined in s. 16.9565 (1) (b),  
18           installed on or after the day after publication of 2023 Wisconsin Act ... (this act) ...  
19           [LRB inserts date].”.

20          **7.** Page 8, line 24: after that line insert:

21           “(d) The total number of kilowatt-hours of electricity delivered or placed by the  
22           Level 1 chargers, as defined in s. 16.9565 (1) (a), and the Level 2 chargers, as defined  
23           in s. 16.9565 (1) (b), installed on or after the day after publication of 2023 Wisconsin  
24           Act ..., (this act) ... [LRB inserts date], of electric vehicle charging stations into the

1 battery or other energy storage device of an electric vehicle at each location identified  
2 in par. (b).”.

3 **8.** Page 9, line 4: after “Level 3 charger” insert “and by each Level 1 charger,  
4 as defined in s. 16.9565 (1) (a), and Level 2 charger, as defined in s. 16.9565 (1) (b),  
5 installed on or after the effective date of this subsection ... [LRB inserts date]”.

6 **9.** Page 9, line 22: after that line insert:

7 **“SECTION 9m.** 196.025 (8) of the statutes is created to read:

8 196.025 (8) CERTAIN LEVEL 1 AND LEVEL 2 ELECTRIC VEHICLE CHARGING FACILITIES.

9 (a) In this subsection:

- 10 1. “Level 1 charger” has the meaning given in s. 16.9565 (1) (a).
- 11 2. “Level 2 charger” has the meaning given in s. 16.9565 (1) (b).
- 12 3. “Level 3 charger” has the meaning given in s. 16.9565 (1) (c).
- 13 4. “Person” includes local governmental units, as defined in s. 66.0442 (1) (d),  
14 the State of Wisconsin, and state agencies, as defined in s. 16.9565 (1) (d).

15 (b) Notwithstanding ss. 16.9565 (2) and 66.0442 (2), the commission shall  
16 require a person to charge a reasonable fee for the electricity delivered or placed by  
17 a Level 1 charger or a Level 2 charger installed on or after the effective date of this  
18 paragraph ... [LRB inserts date], at the person’s electric vehicle charging station.

19 (c) The commission shall require a person to charge a reasonable fee for the  
20 electricity delivered or placed by a Level 3 charger at the person’s electric vehicle  
21 charging station.

22 (d) This subsection does not apply to an electric vehicle charging station located  
23 at a residence, as defined in s. 77.997 (5).”.

24

(END)