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Recapping the Senate's Final Floor Actions

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Yesterday, the Wisconsin State Senate completed its work in the regular 2025-2026 Legislative Session, and they went out with a bang! The Senate took up a little over half of the bills already passed by the Assembly but awaiting concurrence in the Senate, including all five of the League's remaining priorities the League was pushing to pass and a total of 16 League supported bills. Overall, nearly **20%** of the Senate's calendar for their final floor period was League-supported bills! That's a monumental session day!

Months, and in some cases years of education and advocacy from the League Government Affairs Team and municipal officials across the state paid off yesterday as we saw many major initiatives complete their journey in the Legislature and now head to the Governor. Below are some details on some of the major bills voted on by the Senate along with a complete listing of the other efforts.

Modifications to Housing Loan Programs

In the 2023-2024 Legislative Session, the Legislature passed a monumental initiative to combat Wisconsin's housing crisis head on by investing \$525 million in low-interest workforce housing loan programs at the Wisconsin Housing and Economic Development Authority (WHEDA). The Infrastructure Access, Restore Main Street, and Vacancy-to-Vitality Loan Programs are all designed to tackle holes in housing affordability by ensuring that financing gaps don't prevent workforce and senior housing projects in cities and villages.

While this historic investment was included in the 2023-2025 State Budget, barriers in the accompanying legislation have prevented these programs from being as widely utilized as we had all hoped. [Assembly Bill 194](#) is a result of a coordinated effort with the authors and stakeholders to determine how this investment can live up to its full potential within the steady direction provided by the Legislature last session.

The voice vote passage of AB 194 yesterday ensures more Wisconsinites can afford to live in the communities they love and will provide a nationwide model for successful state, local, and private housing partnerships. AB 194 will:

- allow tax incremental financing and historic tax credits to be stacked with housing loans to ensure that all financing gaps and cost constraints may be addressed,
- increase the maximum loan amounts that may be awarded in all three programs, measured either as a percentage of project cost or a per unit dollar figure,
- lower the number of dwelling units that must be created in the Vacancy-to-Vitality Program for municipalities under 10,000 in population from 16 or more to 4 or more,
- allow mixed-use developments to qualify for the Vacancy-to-Vitality Program while ensuring loan funds are only used for the residential portion of the development, and
- move the lookback date from January 1, 2023 to January 1, 2020 for municipal ordinance or other regulatory changes necessary for the cost reduction analysis.

The League, after hearing from its members, has been a leader in pushing for passage of AB 194. Municipal officials from across the state have joined this effort by responding to our [Call to Action](#). The League also

was joined by the Wisconsin Builders Association and Wisconsin REALTORS Association on a [joint memo](#) to the Senate last week requesting passage of this legislation.

Following yesterday's vote, the League issued [this statement](#) applauding the Senate's action on AB 194 and SB 480 (more information on SB 480 below). Thank you to the authors, Senator Quinn (R-Birchwood) and Representatives Armstrong (R-Rice Lake) and Brooks (R-Saukville), for your continued leadership on this initiative! We expect the Governor to sign this bill in the coming weeks, making these changes effective for the next loan application cycle that will open later this year.

PFAS Liability Exemptions and Grants

Together, [Assembly Bills 130](#) and [131](#), which respectively passed on votes of 33-0 and a voice vote, deliver vital financial support and liability protections to municipalities of all sizes across the state who simply provide the critical services of reclamation of wastewater, provision of safe drinking water, collection of residential waste, promotion of redevelopment, and suppression of fires during emergencies. Municipalities do not manufacture PFAS – we're passive receivers of this emerging contaminant and it was only used when necessary for the protection of life and property during a flammable liquid fire or training for these complex and dangerous operations.

The number of communities impacted by PFAS contamination continues to grow. Ratepayers and residents cannot be solely on the hook for the full cost of tackling the PFAS problem. The League and our members asked the Legislature to form a partnership that begins with protections from enforcement and includes financial assistance. The Legislature answered the call. Thank you to the authors, Senator Wimberger (R-Gillett) and Representative Mursau (R-Crivitz), and all the co-sponsors and supporters of this landmark initiative!

We're excited this action is based on municipalities being treated as partners, not polluters, in our state's continued response to this growing problem. As passed, this legislation will (among many other things):

- exempt municipalities from liability under the state's Spills Law for certain actions, including (but not limited to) properties a municipality's purchases that were contaminated, fire departments that used PFAS foam in training or emergencies, dischargers of contaminated wastewater and biosolids, and municipal landfills as long as specific steps are taken,
- commit nearly \$80 million to a PFAS Community Grant Program for municipalities and other local governments to address testing and capital needs related to PFAS contamination in our communities, and
- provide over \$5 million to an Airport and Industrial Processor PFAS Grant Program to begin eligible remediation efforts at public airports that trained with PFAS-laden firefighting foam.

The authors not only have championed this important legislation and stayed in constant communication and collaboration with the League, but they have also committed dozens of hours working with the Governor and his administration to foster this compromise. We appreciate Senator Wimberger, Representative Mursau, Governor Evers, and the Wisconsin Department of Natural Resources dedicating the time necessary to ensure Wisconsin will see meaningful progress on PFAS. The Governor has committed to signing this legislation into law in the coming weeks.

Read the League's full statement celebrating the passage of the PFAS legislation [here](#). Once the bill is signed into law, the League will be providing a more detailed overview of the items contained in this legislation along with future member educational opportunities on the new PFAS landscape.

Public Construction Bidding Thresholds

Inflation, while in the news in recent years for its unusually high levels, is an everyday reality for Wisconsin's local governments. The cost of everything local governments must purchase, including medical supplies, paper, concrete, lumber, wiring, asphalt, piping, fire apparatus, snowplows, electricity, and

software, has gone up substantially in the 21st century. This has considerably strained local resources, especially under Wisconsin's tight levy limits.

While the cost of purchasing goods and services has gone up, the public notice and bidding thresholds have not. In 1999, thresholds were set at \$5,000 for a public notice to be issued and \$25,000 for a request for proposal, or competitive bid, to be issued. These thresholds have remained stagnant as the rate of inflation has nearly doubled. Adjusting for inflation, \$25,000 in 1999 is approximately \$48,000 today.

[Assembly Bill 217](#), which passed on a voice vote and is expected to be signed by the Governor, will be the **first increase to public construction bidding thresholds in 27 years!** The bill doubles the bidding and notice thresholds, raising those levels to \$50,000 and \$10,000, respectively. These increases reflect the economic realities of today and reduces the burdensome and lengthy process of requiring bids on smaller projects. We're excited to see this legislation move forward and thank the authors, Senator Tomczyk (R-Mosinee) and Representative O'Connor (R-Fond du Lac), for championing this effort.

Workforce Housing Tax Incremental Districts

Tax incremental financing (TIF) is one of the few proactive economic development tools that Wisconsin municipalities have available. However, TIF has historically been structured to promote commercial and industrial development, not residential. With [Senate Bill 480](#), that history changes.

This legislation allows municipalities to create Workforce Housing TIDs. These TIDs would be developer-financed with eligible expenses limited to the infrastructure necessary for dense new single-family or duplex residential developments. Workforce Housing TIDs would be capped at 3% of equalized value but are exempt from the current 12% threshold. This tool will be available starting on October 1st.

A TID under SB 480, which passed on a 32-1 vote, could be created if the following conditions are met:

- the total value of all Workforce Housing TIDs does not exceed 3% of total equalized value of the municipality, the TID lifespan does not exceed 20 years, and the costs are limited to supporting the necessary infrastructure and certain related expenses,
- the development is for owner-occupied single-family or duplex residences that are 1,500 square feet or less for single story residences or 2,000 square feet or less for two-story residences, and
- the lot sizes and widths are not greater than 7,500 square feet and 70 feet for single-family or 12,500 square feet and 80 feet for duplexes and, for either, side setbacks are not greater than 10 feet.

Because of yesterday's action, foundations will be poured, shingles will be laid, and Wisconsinites will cross the threshold into new homes. Combined with other actions passed by the Legislature on housing, these new tools in the toolbox incentivize developers, municipalities, and realtors to work together to advance the range of new housing options that will soon emerge throughout the state in communities of all sizes.

Thank you to the authors, Senator Feyen (R-Fond du Lac) and Representative Armstrong (R-Rice Lake), for pushing this new and exciting tool across the finish line. Our hopes are that the Governor will sign this bill in the coming weeks. Click to read [our statement](#) applauding the Senate's action on AB 194 (mentioned above) and SB 480.

Prohibitions on Municipalities Doing Roadwork

While most of the League's victories yesterday came from what did pass, one victory came from what didn't pass. Senate Bill 179 was originally a simple bill to extend the administrative allowances and evaporation credits available to gasoline to diesel fuel. This allows gas stations to better account for their expenses prior to remitting tax collections to the state. SB 179 passed the Senate back in June, but the Assembly didn't take up the bill until they were ready to adjourn in February when they added an unrelated amendment.

This substantial expansion in the bill peaked the League's concern, leading to our registration against the bill. If the amendment became law, local governments would have been prohibited from doing their own roadwork unless their heavy equipment operators (anything over 26,000 pounds) were licensed by the state after either logging 2,000 apprenticeship hours or 10,000 total hours of operating heavy equipment. What constitutes roadwork (i.e., does filling a pothole or sealing cracks constitute roadwork?) was not clearly defined, and the body responsible for licensing would solely be filled by a mix of roadwork companies and private union operators. These prohibitions would have gone into effect if Act 10 is overturned.

What started as a bill that had support from a range of groups and did not result in the League's engagement turned into a disaster for cities and villages that was launched by well-funded private special interests in a last-minute action. **Thankfully though, the Senate stopped this amendment.** While the Senate could have either passed the bill with the new amendment and sent it to the Governor or simply refused to take up the bill all together, they instead sent a powerful message by taking up the bill and voting to nonconcur in the amendment on a unanimous 33-0 vote!

Thank you to Senators for rejecting this amendment, especially the author, Senator Feyen (R-Fond du Lac), who regrettably lost a sensible bill over this nonsensical amendment yet still voted for nonconcurrency.

The Many Other League Wins in the Senate

Another one of the League's priorities to pass in 2026 was [Assembly Bill 768](#). With certain exceptions including for municipalities, this legislation would prohibit the operation of drones over municipal water and wastewater utilities along with other utility facilities. Based on a [survey](#) conducted of municipal utility officials, 89% wanted to see unauthorized drones prohibited from flying over their facilities while another 10% were unsure. We're excited to see this proposal move ahead.

What once was thought to be unable to pass has come back and now heads to the Governor. [Assembly Bill 326](#), which passed on a voice vote, builds on an item from the budget to provide \$3 million to smaller municipalities to obtain grant writing and compliance assistance services. Once signed into law, the Wisconsin Department of Revenue will stand up this program from 2027 to 2030 for cities, villages, towns, and counties with populations under 7,500 to receive up to \$5,000 to apply for certain grants.

Around the state, the number of fires in the waste stream from lithium-ion batteries has been growing. These household batteries are not only causing costly damage, but they're endangering the safety of our sanitation workforce. [Assembly Bills 713](#) and [911](#), which respectively passed on voice and 33-0 votes, establish a battery stewardship program where a statewide organization will set up collection sites statewide. Lithium-ion batteries will also be banned from the waste stream.

Under current law, *threatening* a healthcare provider or a person who works in a healthcare facility as a result of their job is a Class H felony. Similarly, *assaulting* a healthcare provider or person who works in a healthcare facility results in increased criminal penalties to protect these crucial workers. However, the assault penalties include emergency medical technicians, whereas the threat statutes did not. [Assembly Bill 905](#), which passed on a voice vote, fixes that discrepancy and protects Wisconsin's EMTs.

City and village officials work to clear hurdles to development and ensure that Wisconsin sees residential, commercial, and industrial growth. However, many hurdles are a result of state and federal regulations, including wetland regulations. [Senate Bill 798](#), which passed on a 32-1 vote, provides a sensible approach to streamlining wetland delineations necessary for permitting projects by allowing qualified third-parties to perform the work instead of requiring visits from the Department of Natural Resources.

Other bills supported by the League that passed the Senate include:

- [AB 182](#) - **Low-Income Housing Tax Credit** - Sen. Quinn (R-Birchwood) and Rep. Armstrong (R-Rice Lake) - This legislation, which passed on a 31-2 vote, makes several modifications to the Low-Income Housing Tax Credit program to make it more accessible to developers and to ensure regional distribution of the credits.

- [AB 192](#) - **Fatality Review Teams** - Sen. James (R-Thorp) and Rep. Moses (R-Menomonie) - This legislation, which passed on a voice vote, codifies the structure of fatality review teams into current law and grants these teams certain access and confidentiality protections when investigating upticks in similar preventable deaths.
- [AB 375](#) - **Historic Tax Credit** - Sen. Feyen (R-Fond du Lac) and Rep. Armstrong (R-Rice Lake) - This legislation, which passed on a 31-2 vote, makes several modifications to the Historic Tax Credit to allow claimants to qualify for the state program without participating in the federal program and to change the years in which credits may be claimed.
- [AB 454](#) - **Workforce Home Loan Program** - Sen. James (R-Thorp) and Rep. Rodriguez (R-Oak Creek) - This legislation, which passed on a 31-2 vote, provides up to \$10 million to middle-income and low-income homebuyers for gap financing up to \$60,000 to build on a mortgage payment for the purchase of a new single-family home.
- [SB 376](#) - **Childcare Tax Credit** - Sen. Feyen (R-Fond du Lac) and Rep. Armstrong (R-Rice Lake) - This legislation, which passed on a 32-1 vote, adopts recent federal tax code changes into Wisconsin's tax law to allow employers for their direct childcare expenditures or childcare referral services for their employees.

While the League saw many great efforts pass, one bill we opposed also passed. [Assembly Bill 502](#) would restrict a municipality's ability to address the removal of outdoor advertising signs (e.g., billboards) that do not conform with local ordinances during a road construction project. The Wisconsin Department of Transportation has [expressed](#) serious concerns with this legislation as has the League. Our hope is that, hearing the concerns of WisDOT, the League, and others, Governor Evers will veto this legislation.

What's Next in the Wisconsin State Capitol

If any of these actions are of particular interest to your community, we highly encourage you to reach out to your State Senator and thank them for supporting that legislation. Yesterday was a great day in the Wisconsin State Senate, and these legislators deserve to be thanked for making this progress.

If you're not certain which Senator represents your municipality or how to get in touch with their office, [this GIS map](#) will help. Type in your municipality, and the Senator representing your area, along with contact information for their office, will appear on the righthand side of your screen.

While the South Wing (the Senate) and West Wing (the Assembly) of the Wisconsin State Capitol have concluded their *regular* sessions, the East Wing (the Governor) is just beginning his work. 31 bills the League has lobbied on and many more are awaiting his action. The Governor may take final action to either sign bills into law or veto those bills anytime between now and the final day for action, Thursday, April 9th.

Above, we put an emphasis on "regular" session, because while the 2025-2026 Legislative Session has concluded its usual business, there are still ongoing negotiations over how or whether to use the state's roughly \$2.5 billion projected surplus. To date, discussions have primarily focused on tax cuts or rebates and school funding. It's unclear if this would be an extraordinary session (called by the Legislature) or special session (called by the Governor) and when this session could happen, so stay tuned.