State of Wisconsin
2025 - 2026 LEGISLATURE

LRB-6135/2
MDE:skw

2025 ASSEMBLY BILL 1036

February 13, 2026 - Introduced by Representatives MOSES, BEHNKE, DITTRICH, MAXEY and PIWOWARCZYK, cosponsored by Senators JACQUE and NASS. Referred to Committee on Ways and Means.

AUTHORS SUBJECT TO CHANGE

AN ACT ***to create*** 66.10015 (1) (ag), 66.10015 (7) and 134.89 of the statutes;

relating to: prohibiting nondisclosure agreements intended to conceal information about a data center from the public.

Analysis by the Legislative Reference Bureau

This bill prohibits a data center, including any agent of a data center, from entering into any agreement, including a nondisclosure agreement, that has the purpose or effect of concealing the details of the development of the data center from the public or preventing public review of the data center. The bill also prohibits a city, village, town, or county (political subdivision) from entering into any agreement, including a nondisclosure agreement, that has the purpose or effect of concealing the details of the development of a data center from the public or preventing public review of a data center. These prohibitions do not apply to an agreement that has the sole purpose of preventing public disclosure of a trade secret.

In addition, the bill prohibits a political subdivision from permitting or approving a project for the creation of a data center if the data center or an agent of the data center or the political subdivision violates a nondisclosure agreement prohibition created in the bill.

The bill defines "data center" to mean a facility in this state that satisfies all of the following:

1. The facility's primary services are storage, management, and processing of digital data.

2. The facility is used to house computer and network systems, including associated components such as servers and network equipment and appliances; telecommunications systems; data storage systems; systems for monitoring and managing infrastructure performance, Internet-related equipment and services, data connections, and environmental controls; fire protection systems; and security systems and services.

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

SECTION 1. 66.10015 (1) (ag) of the statutes is created to read:

66.10015 **(1)** (ag) "Data center" means a facility in this state that satisfies all of the following:

1. The facility's primary services are storage, management, and processing of digital data.

2. The facility is used to house computer and network systems, including associated components such as servers and network equipment and appliances; telecommunications systems; data storage systems; systems for monitoring and managing infrastructure performance, Internet-related equipment and services, data connections, and environmental controls; fire protection systems; and security systems and services.

SECTION 2. 66.10015 (7) of the statutes is created to read:

66.10015 **(7)** DATA CENTERS. (a) 1. No political subdivision may enter into an agreement, including a nondisclosure agreement, that has the purpose or effect of concealing the details of the development of a data center from the public or preventing public review of a data center.

2. Subd. 1. does not apply to an agreement that has the sole purpose of preventing public disclosure of a trade secret.

(b) No political subdivision may permit or approve a project for the creation of a data center if the data center or an agent of the data center violates s. 134.89 or if the political subdivision violates par. (a).

SECTION 3. 134.89 of the statutes is created to read:

134.89 Prohibiting data centers from entering into agreements intended to conceal information from the public. (1) In this section "data center" means a facility in this state that satisfies all of the following:

(a) The facility's primary services are storage, management, and processing of digital data.

(b) The facility is used to house computer and network systems, including associated components such as servers and network equipment and appliances; telecommunications systems; data storage systems; systems for monitoring and managing infrastructure performance, Internet-related equipment and services, data connections, and environmental controls; fire protection systems; and security systems and services.

(2) No data center, including an agent of a data center, may enter into any agreement, including a nondisclosure agreement, that has the purpose or effect of concealing the details of the development of the data center from the public or preventing public review of the data center.

(3) This section does not apply to an agreement that has the sole purpose of preventing public disclosure of a trade secret.

(END)