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AI-Data Centers:
Legislative Model to Promote Transparency and Environmental Protections

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Front cover photo: Construction work takes place on a portion of land between Walnut and Larrison roads and north of Early Road on an $11 billion Amazon Web Services data center campus on Tuesday, June 17, 2025, between South Bend and New Carlisle.

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INTRODUCTION

Data centers support the growing demands of data storage, cloud computing, streaming videos, crypto currency, and artificial intelligence (AI). As of November 2025, the United States (U.S.) hosted 4,165 data centers, by far the most in the world.[1] Data centers can vary widely in size and purpose.[2] Although the U.S. hosts thousands of them, in many situations, people did not notice them because they were small systems with little impact on their host locations.

However, as investment in crypto and AI has soared, the scale and number of data centers has mushroomed. For instance, in 2024 the total energy used by all 1,230 data centers in the top locations in the U.S. was 10.7 gigawatts (GW).[3] By comparison, in 2025, OpenAI announced plans for an overarching AI infrastructure platform of five Stargate data center sites with 10 GW of capacity.[4] Some states are seeing requests from just a few proposed AI-data centers that would double the electricity generated for all the state's residential customers. Even in a high population state like New York, the projected electricity demands of data centers is double all New York households.[5] These hyperscale AI-data centers are the focus of this legislative model.

AI-data centers consume significant amounts of water and electricity. According to the 2024 report from Lawrence Berkeley National Lab to Congress, in 2023 data centers are estimated to have directly consumed approximately 17 billion gallons of water for cooling and indirectly consumed 211 billion gallons to produce electricity to power the centers.[6] The water withdrawn for use is much higher than the "consumed" water estimated in this report. Consumed water is not returned to be treated and reused but is generally lost to evaporation and can show up in a completely different watershed as precipitation.[7] This distinction between withdrawal and consumption underscores the long-term impacts on local water supplies.

Although many of the top technology companies promoting the AI-data center expansion have sustainability pledges, their water and electricity consumption is surging. The Lawrence Berkeley Lab estimated a nearly fivefold increase in water needs between 2022 and 2028. Additionally, Microsoft, for example, expects its annual water needs for about 100 data center complexes to grow by 150% from 2020 to 2030 to 18 billion liters (about 4.8 billion gallons).[8]

Additionally, in 2025, Carnegie Mellon University researchers found that the rapid growth in AI-data centers significantly strains U.S. energy systems, driving electricity costs up by an estimated 8% nationally and as much as 25% in certain regions.[9] Much of this growth could force reliance on older, more costly fossil-fuel plants, undermining clean energy goals, increasing water consumption, and raising ratepayer costs.[10] A research team at Cornell University determined that by 2030, the rate of AI growth in the US would put an additional 24 to 44 million metric tons of carbon dioxide into the atmosphere and use as much water as 6 to 10 millions Americans do each year.[11]

The Great Lakes saw an explosion of requests to increase utility electricity in 2025 to power new data centers.[12] As AI-data center development continues to expand, reasonable state and regional regulation becomes increasingly important to ensure that data center operations are managed sustainably and that communities retain secure and affordable access to electricity and clean water.[13]

AI-data centers place environmental and social burdens on communities. These include concerns about water and electricity rate increases for households and businesses, impacts on water supply, pollution (greenhouse gases, air, stormwater, wastewater, noise, and light), displacement of existing houses and farms, and infrastructure strain (need for new water and sewer connections and utility capacity expansion, need for new transmission lines to connect added energy to the grid).[14] This array of environmental and social burdens highlights the need for detailed disclosures prior to decisions to host, ongoing reporting about environmental metrics as data centers operate, engaging the community, and aligning energy demand with renewable energy generation, transmission investment, and long-term sustainability.[15] However, research has revealed that such disclosures are not typical, the data is hidden and provisional, and there is a widespread use of nondisclosure agreements (NDAs) between data center developers and government officials.[16]

Although AI-data centers present substantial environmental and energy-related challenges, their perceived economic benefits have been highly attractive to states. Initially, states rushed to attract this new industry. At least 37 states enacted laws to incentivize data center development by offering economic incentives—such as sales and use tax exemptions on equipment, setting up Tax Incremental Financing (TIF) districts—and by streamlining construction through measures like designating data centers as critical infrastructure and expediting permitting processes. States such as Arkansas, Florida, Idaho, Indiana, Kansas, and Louisiana, for example, offer sales and use tax exemptions for qualifying data center equipment.[17] Another approach has been to reduce regulations. For example, Maryland's Critical Infrastructure Streamlining Act of 2024 designates data centers as critical infrastructure, thereby exempting them from certain permitting requirements for emergency power generation.[18]

At the start of 2026, however, states began re-examining that tax incentive approach. The legislative model that follows articulates conditions to be met before obtaining any tax incentives or approvals. However, an alternative is for states to repeal or phase out incentives. Michigan, Georgia, Idaho, and Ohio have introduced legislation aimed at repealing sales and use tax incentives for AI-related data centers.[19] Michigan's legislation would completely repeal the applicable sales and use tax incentives,[20] while Georgia's legislation would prohibit any new sales and use tax exemptions on "high-technology data centers"[21] and advance the sunset date for the sales and use tax exemption for data center equipment from 2032 to 2027, thereby shortening the duration of the incentive rather than eliminating it outright.[22]

At the federal level, in 2025, President Trump signed four executive orders promoting AI and data center development.[23] This led to a coalition of nonprofit organizations—headed by Food & Water Watch—calling for a nationwide moratorium to allow time for comprehensive regulations that would "fully protect our communities, our families, our environment, and our

health" from the potential negative impacts of the AI-data center industry.[24] Congress has proposed a variety of federal laws, with no clear direction emerging: some proposals aim to protect the public interest from an array of externalities imposed by AI-data centers, and others aim to restrict states' ability to independently regulate AI.[25] Notably, the December 2025 Executive Order, "Ensuring a National Policy Framework for Artificial Intelligence," specifically excluded data center construction and development from its call for a nationwide law aimed at stopping state-level AI regulation.[26] To date, the federal government has not enacted legislation that would displace states' rights to regulate the environmental and community impacts of AI-data centers.

Lacking a uniform federal regulatory approach and facing an increasing number and scale of AI-data center proposals, at least 30 states have enacted or proposed laws aimed at protecting the public interest from externalities imposed by AI-data centers and increasing transparency. Our legislative model is designed for states that are examining the suitability of their regulations given the increasing demands on water and electricity.

Executive Summary: Policy Goals & Legislative Options

Local opposition to AI-data centers is growing due to concerns over transparency, water scarcity, rising utility rates, pollution, and infrastructure strain.[27] Communities and critics are calling for stronger disclosure requirements, renewable energy alignment, and meaningful engagement to balance growth with environmental stewardship and local benefits.[28] Few disclosure rules exist, and use of nondisclosure agreements (NDAs) with government officials has undermined public confidence in decisions to host AI-data centers.[29] In Wisconsin, for instance, in February 2026, 70% of voters polled say the costs of large data centers outweigh the benefits, with the most frequently cited cost being the impact on water.[30]

The Center for Water Policy conducted a 50-state review of proposed and enacted legislation impacting AI-data centers. We identified key issues of concern by the public and the range of legislative responses that are currently circulating. We created the following legislative model to present a framework for states to consider their policy priorities and how to balance the perceived economic benefits of AI-data center development with the need to protect environmental resources, maintain grid reliability, and engage the public with transparency.

The model contains five overarching goals to address the areas of significant friction that exist around the development of AI-data centers:

1. Improve Comprehensive Planning

2. Increase Transparency and Public Disclosure

3. Protect Ratepayers from Bearing Increased Utility Costs

4. Establish Energy and Water Efficiency Prerequisites AI-Data Centers as Conditions for Permit Approval or Eligibility for Tax Exemptions

5. Increase Funding for Water Management and Conservation

Within each of these policy goals, we identify potential legislative responses that could be designed to advance the goal. The responses include: enact moratoria, conduct statewide or regional study on cumulative impacts, prohibit public officials from signing NDAs, mandatory public disclosures prior to project approvals and construction, ongoing public reporting of resource use, requirements to use renewable energy and recycled wastewater, and funding for ongoing environmental monitoring and management.

Taken together, these policy goals and legislative responses outline complementary approaches that states may adopt individually or in combination. These strategies offer options for developing responsible, community supported policies that align AI-data center growth with protecting the public interest and regional sustainability.

A note on terminology. One of the first policy design choices states face is the level at which to aim regulations. Some states define “data centers” without regard to size of the operations as facilities that contain electronic equipment used to process, store and transmit

digital information.[31] Other states define the target of their regulatory efforts as a "large energy use facility"[32] or "large-scale data center."[33] For the purposes of regulating at the scale where the resource impacts are most significant, we highlight definitions used by New Jersey and Connecticut that focus on AI data centers, all of which are hyperscale. Connecticut specifically focuses on data centers that use not less than one megawatt (MW) of power. Specifically, Connecticut defines regulated data centers as facilities "developed, acquired, constructed, renovated, repaired, or operated to house networked computer servers" in one or more contiguous locations for the "centralized storage, management, processing, and dissemination of digital data…for artificial intelligence applications that requires an uninterrupted energy load of not less than one megawatt."[34] While New Jersey's regulatory scope does not use MW of power, it similarly uses the AI-data center as a proxy for hyperscale and its definition includes any "machine learning and deep learning…[which] includes related computer and network systems, data storage and communications infrastructure, internet related- equipment, environmental controls, fire protection, infrastructure monitoring and management systems, and security systems."[35] The Great Lakes Commission adopted an approach that goes beyond AI infrastructure to include "quantum computing hubs" and "semiconductor manufacturing" across the Great Lakes and St. Lawrence River region.[36] In this model we use "AI-data center" as the locus of regulation in order to focus regulatory attention on the data centers that require the most energy, water, and land.

Finally, community benefits agreements (CBAs) are increasingly recognized as a way for local communities to remain actively engaged in shaping proposed data centers. Illinois is the first state to introduce legislation that would specifically require a CBA between a data center developer and the local community.[37] While our model does not include this mandate as a standalone requirement, several provisions within the model reflect elements commonly found in CBAs, such as an economic development analysis that includes use of prevailing wage.

Goal 1. Improve Comprehensive Planning

Given the scale and speed of AI-data center proposals, as well as the lack of reliable and transparent access to critical information, a policy goal is to improve comprehensive planning for how hosting AI-data centers fits into an area's economic development. We recommend three legislative responses for states to consider to better ensure that AI-data center planning and development aligns with the public interest. First, enact a temporary moratorium statewide on hosting new AI-data centers to allow the time for legislators and their constituents to analyze the most appropriate regulatory frameworks to address public concerns. Second, we highlight the need for a statewide cumulative impacts study, which would ideally be undertaken during the temporary pause on approvals. Third, we underscore the importance of conducting a regional cumulative impacts study, ideally completed before any permits are approved or contracts are executed.

Legislative Responses:

A. Enact A Moratorium

Initially, the movement to hit pause on AI-data center proposals was coming from local governments. A variety of local governments have temporarily halted data center development to study potential impacts and ensure that zoning rules and other regulations adequately address these concerns.[38]

More recently, state legislatures have been taking up the issue of pausing approvals on AI-data centers while they assess regulatory protections for the public interest. The number of states considering a legislative moratorium keeps growing. To date, Georgia, Maryland, Oklahoma, New York, and Wisconsin have proposed legislation establishing a statewide moratorium on data center construction.[39] Georgia, Maryland, and New York have considered similar approaches of pausing the construction of new data centers while allowing projects that have already received approval to proceed; by contrast, Oklahoma's legislation broadly restricts the construction of data centers.[40] In addition, Georgia and Oklahoma include a defined end date for their moratoria, whereas Maryland's proposal does not specify a termination date, and New York's moratorium will last for three years.[41] New York would require certain government actions during the moratorium period, such as an environmental impacts review and the development of regulations on specific issues.[42] Drawing on elements from all of these states' proposed approaches, our model incorporates: (1) a temporary ban on any approval of data center-related project permits or similar approvals, (2) a directive to conduct a comprehensive study on the environmental and social impacts of data centers, and (3) an exemption for projects that received approval prior to a specified date.

Legislation Imposing a Temporary Moratorium on Approvals for the Construction and Development of AI-Data Centers[43]

Section 1

(A) The Legislature finds that, although AI-data centers may offer economic benefits, it is in the public interest to temporarily pause approvals for the construction and development of AI-data centers to fully evaluate the impacts of such facilities on natural resources, energy systems, utility rates, water supplies, the environment, jobs, and other pertinent areas as determined by [insert name of relevant state agency]. The state has an essential interest in establishing appropriate standards to protect and preserve its natural and environmental resources and ensure sustainable land use as well as economic development. During the period established in subsection B, [insert name of relevant state agency] is directed to complete a written evaluation on the above environmental and social impacts to inform future regulation. [Suggest to pair this with legislative model on cumulative impacts analysis.]

(B) Between the effective date of this Act and [insert moratorium end date or length; suggest 12-36 months], no county, municipality, local authority, agency, or political subdivision shall issue any permit, license, approval, contract, or certificate under [insert relevant Title(s)/Section(s)] that would authorize or allow the construction or development of a data center.

(C) The prohibition in subsection B of this section shall not apply to any permits, licenses, or certificates, issued before [alternative option: applied before] the effective date of this legislation, for the purpose of constructing a data center.

Section 2

(A) This Act shall become effective upon approval by the Governor or upon becoming law without such approval.

Section 3

(A) All laws and parts of laws in conflict with this Act are repealed.

Local governments may decide to pause data center hosting decisions to evaluate the impacts on the community. Three examples are found in communities of various sizes - the City of Bristol, Tennessee; Lordstown, Ohio; and Madison, Wisconsin. The City of Bristol, Tennessee, approved a first reading of an ordinance imposing a two-year moratorium on any data center development,[44] while Lordstown Village Council voted to approve an ordinance expressing a state of emergency and banning all proposals for data centers.[45] During the moratorium, the local government will evaluate potential impacts and review its zoning regulations to ensure they provide adequate safeguards, supporting more informed and responsible future decisions.[46] In Madison, the ordinance imposing a one-year moratorium includes similar language, as it is intended to serve as a planning tool that allows the city time to evaluate the impacts of data centers and to "promote meaningful development and implementation" of its ordinances.[47]

An Ordinance Imposing a Temporary Moratorium on the Construction and Development of AI-Data Centers[48]

(A) **Purpose.** To allow time for research and planning on the environmental, energy, and community impacts of data centers before permitting new development, and to protect public health, safety, welfare, and land-use goals by restricting incompatible industrial digital infrastructure.

(B) **Moratorium.** It is hereby declared that, as an emergency measure, this Ordinance is effective immediately upon enactment, no local agency shall approve, issue, or process any permits, licenses, or contracts for the construction, expansion or substantial modification of data centers for 12 months from the date of enactment.

(C) **Exemption.** Routine maintenance or minor upgrades to existing facilities that do not significantly alter or increase energy or water consumption are exempt from this ordinance.

B. Conduct Statewide Study of Cumulative Impacts

Several states have enacted or proposed laws directing relevant authorities to conduct statewide assessments of AI-data center impacts on electricity or overall environmental effects. New Jersey passed a law that mandates a comprehensive study of data centers' electrical demands and includes directives to safeguard ratepayers.[49] It also proposed a law that requires the Department of Environmental Protection to conduct a water impacts study within one year of the act's effective date, which would evaluate the past, present, and future impacts of water use by large-scale data centers on state water systems, costs, operations, and the environment, including feasible conservation strategies.[50] The combination of these two legislative efforts offers one of the most detailed study scopes.

By comparison, California focuses more narrowly on the costs of new electrical demands; its legislation directs the state's Public Utilities Commission to conduct a state-wide assessment to evaluate the extent to which electrical costs associated with new loads from data center development result in cost shifts to other electrical customers.[51] Further, North Dakota law requires a study of the impact that large energy consumers like data centers would have on the state's energy grid, regulatory structure, and economic development.[52]

Conducting a statewide study of AI-data centers does not require legislation if there is a legislative audit entity that has the power and capacity to direct staff to conduct a statewide study. For instance, in 2023, the Virginia Joint Legislative Audit and Review Commission directed staff to review the impacts of data centers in Virginia, which resulted in an extensive report on impacts ranging from economic to environmental.[53] However, legislation offers the ability of the legislature to articulate the information gaps. After the Virginia audit, for instance, the legislature enacted a law directing a more specific study on utility rates.[54]

States have design choices about the study of data center impacts that include which entity will conduct the study, the scope of the study, how quickly it will be produced to inform future decisions, and whether to pair it with a moratorium to pause all approvals until the study is complete and can inform future regulations. We offer a model that is more comprehensive by including in the study scope the impacts of AI-data centers on water, electricity, GHGs, ratepayers, and economic development. To this end, we combined language from legislation in New Jersey, California and North Dakota.[55]

Statewide Analysis of Cumulative Impacts of AI-Data Centers[56]

Section 1. Study Requirement

(A) To ensure sustainable development of AI-data centers and related advanced technology infrastructure, the State shall require a comprehensive environmental and energy impact assessment prior to approving any contracts, permits, or incentives for data center construction or expansion.

(B) No later than one year after the effective date of this Act, the [insert designated agency] shall lead an effort in coordination with [insert additional agencies or offices] to conduct a comprehensive study on the impacts of AI-data centers within the State. [insert name of relevant state agency] is authorized to promulgate rules as may be necessary to implement the requirements of this Act. The study shall address:
   (1) Electricity consumption and associated infrastructure requirements;
   (2) Water usage and its effects on drinking water systems, wastewater discharges, and local ecosystems;
   (3) Other environmental impacts such impacts on farmland and the potential for siting on brownfields;
   (4) Impacts on utility rates (for water, wastewater, and electricity) and potential cost shifts to non-data center customers; and
   (5) Economic development effects, including job creation and tax revenue.

(C) The study shall be designed to inform future regulations designed to mitigate adverse impacts and may include short-term, long-term, and projected impacts.

Section 2. Scope of Analysis

The study shall include, but not be limited to, the following components for data centers that exist, are proposed, and are projected over the next ten years:

(A) **Electricity Impacts**
   (1) Assessment of current and projected statewide energy demand by data centers;
   (2) Assessment of current and projected annual GHG emissions and other air pollutants related to electricity generation for data centers;
   (3) Assessment of the effects of increased data center demand on grid reliability;
   (4) Assessment of data center facilities' waste heat produced, percentage of waste heat recovered and reused, and the intended uses for recovered heat (e.g., building heating or cooling systems);
   (5) Analysis of whether current cost allocation among utility customer classes results in subsidies by non-data center customers;

(6) Assessment of ratepayer exposure to costs for new generation, distribution, or transmission facilities primarily serving data centers;
(7) Estimation of the current and projected share of residential electricity rates attributable to data center demand over the next 20 years;
(8) Identification of stranded asset risks, including transmission and generation facilities built for data centers, and mitigation strategies such as holding data centers fully responsible for mitigating stranded assets; and
(9) Assessment of current resource planning mechanisms and whether those mechanisms are sufficient or robust enough to tackle emerging large loads.

(B) **Water Impacts**
(1) Assessment of the current and projected amount and source of water withdrawals, consumption, and discharges associated with cooling/operating (direct) and powering data centers (indirect);
(2) Assessment of the short-term and long-term impacts of data centers' water use, wastewater discharge, and stormwater discharge, on water supply, water quality, and water and wastewater infrastructure and operations;
(3) Identification of the chemicals used at data centers and amounts discharged in their wastewater;
(4) Summary of efforts undertaken to reduce water consumption;
(5) Analysis of the direct and indirect costs associated with water use and wastewater management, including infrastructure upgrades and ratepayer impacts; and
(6) Evaluation of feasible water conservation, reduction, and reuse/reclamation strategies, considering both direct and indirect water use.

(C) **Other Environmental Impacts**
(1) Evaluation of the impact of data centers on farmland and the farm economy;
(2) Evaluation of the siting of data centers on brownfields;
(3) Evaluation of the risk of stranded assets on hosting communities; and
(4) In assessing the above environmental aspects, include the impact on sustainability and ecosystems.

(D) **Economic Development**
(1) Analysis of short- and long-term job creation, tax revenue, and long-term investment trends tied to data center development;
(2) Analysis of the extent to which the jobs created are using prevailing wage and union labor as well as the percentage of employees residing in the host community or communities; and
(3) Evaluation of the benefits (e.g., economic) and costs (e.g., infrastructure, environmental, etc.) of data center development.

(E) **Policy Alternatives**

(1) Assessment of possible options to mitigate utility rate increases, environmental harm, and job loss, including but not limited to special tariffs, demand-side management, other practices for integrating high-demand users while maintaining grid reliability, and community benefit agreements.

Section 3. Reporting and Publishing

(A) No later than [insert time frame – suggest 15 months] after the effective date of this Act, the [designated agency or office] shall submit a written report to the Governor and Legislature presenting the study and its findings. The report shall include recommendations for legislation or regulatory changes to mitigate identified impacts.

(B) The [designated lead agency or office] shall publicly post the report on its website on the day it is submitted to the Governor and Legislature under subsection A.

C. Evaluate Regional Cumulative Impacts

Another approach to inform comprehensive planning is to conduct a study of cumulative impacts of AI-data centers on a broader than state-wide scale. Such a study could improve decision-making across a watershed or regional electricity grid service area. An example we highlight is a cumulative study of the Great Lakes Basin, which involves eight Great Lakes states, two Canadian Provinces, and multiple Tribal governments. The International Joint Commission (IJC) published a relevant recommendation in 2025: *Protection of the Waters of the Great Lakes: 2025 Report on Water Diversions and Uses*.[57] In this report, the IJC recommends that Great Lakes states and provinces jointly develop best practices for sustainable water use by large-scale data centers, including a consistent method for reporting water withdrawals and consumption.[58] It also urges the creation of a Regional Body report assessing current and future cumulative impacts of data centers on Great Lakes waters—both with and without these best practices in place.[59]

Further, the Great Lakes Commission passed a relevant resolution in 2025: *Water-Energy Nexus for Datacenters, Artificial Intelligence (AI), Quantum, and Semiconductor Infrastructure Development*.[60] In this resolution the Commission emphasized the need to coordinate and integrate water, energy, and sustainable resource management in developing and operating AI infrastructure, quantum computing hubs, and semiconductor manufacturing across the Great Lakes and St. Lawrence River region.[61] The Commission also urged strategic public and private investment in research, innovation, and workforce training focused on cost-effective energy and water alternatives for cooling.[62]

States in the Great Lakes region and beyond should enact laws requiring an assessment and publication of the environmental and energy impacts of data centers before approving any contracts, tax incentives, or permits. Doing so will give responsible government entities and impacted communities a better understanding of the resources available for data center development and expansion.

Regional Analysis of Cumulative Impacts of AI-Data Centers[63]

This model uses identical language to that above for the statewide study but alters the geographic scope of the study so we only include a new Section 1 to expand the scope and add regional coordination.

Section 1. Study Requirement

(A) To ensure sustainable development of AI-data centers and related advanced technology infrastructure, the State shall require a comprehensive environmental and energy impact assessment prior to approving any contracts, permits, or incentives for data center construction or expansion.

(B) No later than one year after the effective date of this Act, the [insert designated agency] shall lead an effort in coordination with [insert additional agencies or offices] to conduct a comprehensive study on the impacts of AI-data centers within the State. [insert name of relevant state agency] is authorized to promulgate rules as may be necessary to implement the requirements of this Act.

(C) The impact assessment shall consider regional resource constraints and cross-jurisdictional impacts, on [identify the watershed / basin or electricity service areas that extend beyond state boundaries].

(D) The designated state agency shall coordinate with relevant regional entities, including interstate commissions, Tribal governments, and neighboring states, to align assessments with regional sustainability goals. [identify any regional bodies relevant for the study scope]

(E) The study shall address:
  (1) Electricity consumption and associated infrastructure requirements;
  (2) Water usage and its effects on drinking water systems, wastewater discharges, and local ecosystems;
  (3) Other environmental impacts such impacts on farmland and the potential for siting on brownfields;
  (4) Impacts on utility rates (for water, wastewater, and electricity) and potential cost shifts to non-data center customers; and
  (5) Economic development effects, including job creation and tax revenue.

(F) The study shall be designed to inform future regulations designed to mitigate adverse impacts and may include short-term, long-term, and projected impacts.

D. Legislative Action to Mitigate Stranded Assets

The rapid buildout of data centers may involve clearing more than 1,000 acres of land for the centers, as well as building new power plants and transmission lines to serve large energy users.[64] If projected demand fails to materialize or data centers scale back or relocate, it could leave community members stuck with an industrial wasteland and paying for costly infrastructure that is no longer needed. This could create a new generation of "stranded assets" whose debt and utility profits must still be paid long after the facilities are underused or obsolete.[65]

Some states are beginning to address this risk. In Wisconsin, proposed legislation would require a data center to deposit a bond or other security in an amount sufficient to cover the estimated cost of fulfilling any required reclamation and to restore the site to its prior condition if it does not complete the data center project.[66] Minnesota has taken a different approach, requiring that any tariff or energy supply agreement between a utility and a data center include provisions ensuring that other customers are not exposed to stranded costs associated with serving a very large load.[67]

In this section, we offer a model to mitigate the risk of stranded land assets. We then turn to energy and water related stranded assets approach below under Goal 3, "Protect Ratepayers." Here, we highlight that a bond and reclamation requirement is a planning safeguard that could apply before construction begins. By requiring developers to mitigate the risk of project failure, this approach helps deter speculative or undercapitalized proposals that could otherwise leave communities bearing the financial and environmental costs of hundreds and in some cases thousands of acres of abandoned industrial land.

Mitigating Stranded Land Assets[68]

(A) **Bonds and Security.**

(1) A person may not commence construction of a data center in this state unless the person files with [insert agency] a bond furnished by a surety company licensed to do business in this state. In lieu of a bond, the person may deposit cash, certificates of deposit, or government securities with [insert agency]. Interest received on certificates of deposit and government securities shall be paid to the person. The amount of the bond or other security required shall be equal to the estimated cost of fulfilling the reclamation required under Section B.

(B) **Reclamation.**

(1) If construction of a proposed data center is not completed or the data center ceases operations, the owner shall notify [insert agency] and commence restoring the parcel on which construction was begun, or the facilities have been built. The owner shall restore the parcel, to the greatest extent feasible, to the condition that existed prior to any construction on the data center.

Goal 2. Increase Transparency and Public Disclosure

As AI-data center development continues to expand across the U.S., the lack of standardized public disclosure requirements regarding their energy and water consumption poses significant challenges for informed policymaking, community engagement, and sustainable resource management. Data center developers often enter into nondisclosure agreements (NDAs) with local governments and landowners to conceal important details about AI-data center developments, leading to further distrust and opposition in impacted communities.[69]

With growing recognition of the environmental and infrastructure impacts associated with AI-data centers, several states have attempted to address transparency through prohibiting NDAs and creating reporting mandates.[70] For example, New York's proposed SB 6394A would require data centers to submit disclosure reports prior to construction to the state's Public Service Commission to include information such as energy usage, water consumption, expected number of jobs created, and waste production.[71] Indiana's proposed SB 135 and SB 79 would similarly require a data center to disclose the projected power and water usage of the facility as well as a report quarterly to the Indiana Utility Regulatory Commission on the amount of electricity used by the data center in the preceding quarter.[72] Wisconsin's proposed SB 729 would require cities, towns, villages, and counties to mandate data center owners record and report actual water usage within one year of operation and annually thereafter, making this information publicly available online or through a class 1 notice.[73] However, Wisconsin's proposal fails to require disclosure of projected water and energy demand before initial project approval, leaving a key transparency gap.

Many existing legislative frameworks prioritize economic incentives and permitting efficiency over accountability and long-term sustainability.[74] However, if the goal is transparency and public disclosure, state legislation should prohibit government officials from entering NDAs, establish clear, uniform disclosure requirements before approvals, and set ongoing reporting requirements to give the public and decisionmakers access to accurate information on the environmental footprint of AI-data centers.[75] The reporting requirements would be most comprehensive if they included water and energy demands, emissions, and infrastructure impacts. These measures would not only promote transparency and regulatory consistency but also foster greater public trust, democratic engagement, and alignment with state resource management goals.

Legislative Responses:

A. Prohibition on Nondisclosure Agreements

Nondisclosure agreements (NDAs) may already be illegal under some state's existing government sunshine laws that protect open records and open meetings. However, to clearly stop the use of NDAs by data center developers, some states have recently crafted legislative prohibitions. Florida, Georgia, Illinois, Michigan, New York, Wisconsin, and Ohio have introduced legislation that would prohibit the relevant government authority from signing NDAs regarding data center-related projects. Some proposals would enforce this through fines and preventing government approvals or tax incentives. Specifically, Florida and Michigan would prohibit government entities from entering into NDAs that restrict public access to information about potential data center developments and violators would be subject to a fine of up to $1,000,[76] while Georgia would prohibit government entities from entering into NDAs that prevent the disclosure of information related to electricity or water usage generally, and Illinois would prohibit NDAs related to water use.[77] Furthermore, New York would prohibit the state or a municipality from entering into contracts that contain confidentiality and NDA provisions, including tax incentives, payments in lieu of taxes, tax abatements, bonds, notes, loans, grants, or rebates entered into by the state or a municipality.[78] Wisconsin would prohibit both data centers and local governments from entering into NDAs and enforce this by preventing any political subdivision from approving or permitting a data center project if the data center or its agents violate these requirements.[79] Finally, Ohio would prohibit county commissioners, township trustees, and village mayors and council members from knowingly entering into NDAs that bar them from "disclosing, discussing, describing, or commenting on" matters related to their official duties.[80] Ohio's proposal would make such agreements void and unenforceable, with civil fines of up to $1,000.[81]

We propose a model that establishes a broad prohibition on NDAs related to AI-data centers that includes an enforcement provision that prevents approvals needed for the project to proceed. Our model carves out an exception for trade secrets and clarifies the type of information that does not fall within that exception.

Prohibition Against Nondisclosure Agreements[82]

Section 1. Definitions

(A) As used in this section, the term "Agency" means any state, county, district, authority, or municipal officer, public employee, department, division, board, bureau, or commission, or other separate unit of government created or established by law and any other public or private agency, person, partnership, corporation, or business entity acting on behalf of any such agency.

Section 2. Scope

(A) No agency may enter into a nondisclosure agreement or other agreement that has the purpose or effect of restricting the agency from disclosing information about a data center to members of the public.

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

(C) An agreement or contract, or a provision of an agreement or contract, that violates this section is against public policy and is void and unenforceable.

Section 3. Violations and Enforcement

(A) No political subdivision may permit, approve, or give tax incentives to a project for the creation of a data center if an agency, data center, or agent of a data center, violates Section 2.

(B) This Act does not apply to disclosure of a trade secret. Details, such as but not limited to, the data center's ownership, location, number of acres needed, electricity demands, water demands, type of cooling system, chemicals used in the cooling system, and job creation, are not trade secrets.

(C) This section applies to agreements entered on or after the effective date of this legislation.

B. Disclosures Prior to Project Approvals and Construction

Governments can promote democratic participation in and better government decision-making about hosting data centers by requiring public disclosures prior to any government approvals. There are a variety of legislative design choices around the level of government requiring and receiving the disclosure (state or local), the scope of the disclosure, and how it will be made available to the public. Importantly, submitting a pre-approval disclosure report is necessary before the local government or relevant authority can evaluate the proposed project.

Some states that require pre-approval disclosures take a broad look at impacts while others focus solely on water or electricity. New York and Indiana, for example, require data centers to submit disclosure reports prior to construction or permit approval to the state's Public Service Commission or local government agency.[83] These disclosures must include projected energy usage and water consumption at full operating capacity, job creation, and waste production.[84] Additionally, New York acknowledges that the disclosures are public records and must be made available to the public.[85] By comparison, an approach advanced by Utah would require data center operators to coordinate with their water provider and report (at least 180 days before beginning construction) to the Division of Water Rights details about location, facility type, projected water use and discharges, treatment and temperature adjustments, and plans for water reuse or replacement.[86] Furthermore, Texas would require data center developers to disclose in their interconnection request if they are pursuing a substantially similar request for electrical service pending elsewhere in the state, that, if approved, would cause it to materially change, delay or withdraw its current interconnection request.[87]

We offer a model that integrates these approaches by requiring a comprehensive set of disclosures submitted to a single state agency, including detailed information on (1) water use for cooling, (2) electricity demand (such as total and peak load, energy sources, projected impacts on ratepayers, and any duplicative interconnection proposals pending elsewhere in the state), and (3) mandatory public availability of all submitted information.

AI-Data Center Pre-Approval Disclosures[88]

Section 1. AI-Data Center Project Disclosure Reports

(A) For any proposed data center, and before the issuance of any project approval or tax incentive, a proposed data center operator shall submit a data center disclosure report to the [insert name of relevant state agency] at least [insert # of days; suggest 180] days prior to project approval. [insert name of relevant state agency] is authorized to promulgate rules as may be necessary to implement the requirements of this Act.

(B) Project approval includes, but is not limited to, a permit, license, agreement, zoning approval, or similar instrument, by a political subdivision, agency, or utility.

Section 2. Scope of Report

(A) The report shall contain information regarding the proposed data center project including but not limited to:
  (1) Location & Facility Type
    (a) Location;
    (b) Single operator, etc.;
    (c) Colocation, hyperscale, modular, etc.; and
    (d) Square footage.

  (2) Employment & Community Impact
    (a) Number of full-time and part-time employees the data center operator intends to employ at different stages of development and operation;
    (b) Use of prevailing wage and union labor; and
    (c) The projected percentage of employees residing in the host community or communities.

  (3) Projected energy usage (measured in [insert]) of the planned data center at full operating capacity and related information including but not limited to:
    (a) Projected daily, monthly, and peak energy usage, energy types (e.g., fossil fuel, renewable, or other), and corresponding percentages of peak operation, along with expected frequency of peak loads and its corresponding water use (i.e., amount of water used for energy production);
    (b) Projected energy generation plan, including on-site energy, behind-the-meter, grid-supplied, power purchase agreements, etc.; and
    (c) Projected annual GHG emissions and other air pollutants, total waste heat produced, percentage of waste heat recovered and reused, and the intended uses for recovered heat (e.g., building heating or cooling systems).

(4) Projected minimum, maximum, and average water usage (measured in gallons) of the planned data center at full operating capacity and related information including but not limited to:
   (a) Projected daily, monthly, and annual water consumption.
      1. Including the amount of potable and non-potable water used versus consumed.
   (b) Discharge type and amounts, treatment, and temperature, and extent to which discharge amounts/treatment chemicals/temperature will be adjusted.
   (c) How the facility will use the water, which includes but is not limited to:
      1. Cooling technology's water usage;
      2. Staff use;
      3. Emergency use (e.g., firefighting); and
      4. Names and amount of all chemicals the facility will use in water.

(5) Any measure that will be implemented in all energy production and cooling processes to:
   (a) Minimize water use;
   (b) Reduce overall water consumption; and
   (c) Promote water reuse, recycling, and reclamation of water resources.

(6) Projected costs for electricity, water, wastewater, and other related infrastructure upgrades that could affect utility rates, along with identifying any stranded asset risks (and any mitigation strategies) as well as who will be responsible for paying those costs.

(7) Any efforts that will be made to protect the environment and public from polluted water in the previous quarter.

(8) Duplicate Interconnection Requests
   (a) Disclosure of substantially similar requests in-state or elsewhere that could affect timelines.

Section 3. Public Records

(A) The [insert name of relevant state agency] shall publish the disclosure report online and make available to the public within ten days of receipt and hold at least two public hearings in the host community within ninety days after submission–with at least thirty days' advance notice to residents.

Section 4. Penalties and Enforcement

(A) Failure to submit a disclosure report may result in project approval holds and/or additional civil penalties:
   (1) Project Approval Holds

(a) No political subdivision, agency or utility may issue a project approval or tax incentive until full compliance is demonstrated.

(2) Civil Penalties[89]

(a) Failure to submit a required disclosure report shall result in civil penalties not exceeding $25,000 per day per violation.

(3) Citizen Suit Provision[90]

(a) Any person may commence a civil action in state court against:
1. Any data center or its agent alleged to be in violation of this Act; or
2. The [designated regulatory entity] for failure to perform any nondiscretionary duty.

(b) Remedies may include injunctive relief, civil penalties payable to the state, and attorney's fees for prevailing parties.

(4) Notice Requirement[91]

(a) No citizen suit may be filed until at least thirty days' written notice has been provided to the alleged violator and the [designated regulatory entity], except where immediate relief is necessary to prevent irreparable harm.

C. Ongoing Public Reporting

To establish ongoing tracking and reporting requirements for AI-data centers, there are drafting decisions about which level of government will require and receive the reports, the scope and frequency of the reporting, and how it will be made available to the public.[92] Several states seek annual reports, but some seek quarterly reports. An approach advanced in New York would require data center operators to submit annual data disclosure reports to the state's Public Service Commission that include information regarding the data center operator's efforts toward greater energy efficiency and overall sustainability from the preceding year, and require this to be made available to the public.[93] Utah would require annual reports to the state division of water with any updates to prior information, efforts to reduce water use, comparisons of projected and actual water consumption, environmental protection measures, and other details.[94] Connecticut would require AI-data centers to report on water and electricity usage, but on a more frequent quarterly basis.[95] Indiana would also require more frequent quarterly reporting, but only on electricity used in the preceding quarter.[96] Illinois, Michigan, Georgia, and Oregon would require reporting on both water and electricity usage.[97] Illinois, Michigan, and Georgia would mandate annual reporting, while Oregon requires quarterly submissions.[98] Wisconsin combines the approaches of Indiana, Illinois, Michigan, Georgia, and Oregon and would require annual reports on water use and quarterly reporting on energy consumed in the previous quarter.[99] Lastly, Illinois and Utah would create enforcement authority and penalties for violations of reporting requirements.[100]

We offer a model that combines these approaches by articulating a broad scope of reporting, to a single state agency, on a quarterly basis, made available to the public, with specific details about: water for cooling and electricity, amount of electricity used, impact on ratepayers, and impact on jobs. Further, we add penalty and enforcement language similar to the federal Clean Water Act.

Ongoing AI-Data Center Social and Environmental Impact Reports[101]

Section 1. AI-Data Center Project Disclosure Reports

(A) A data center shall submit a social and environmental impact disclosure report on a quarterly basis to the [insert name of relevant state agency]. [insert name of relevant state agency] is authorized to promulgate rules as may be necessary to implement the requirements of this Act.

Section 2. Scope of Report

(A) The report shall contain information regarding the applicable data center including but not limited to:
  (1) Location & Facility Information
    (a) Location;
    (b) Single operator, etc.;
    (c) Colocation, hyperscale, modular, etc.;
    (d) Square footage; and
    (e) Date that operations commenced.

  (2) Employment & Community Impact
    (a) Current number of full-time and part-time employees the data center operator; and
    (b) Percentage of employees residing in the host community or communities.

  (3) Energy usage (measured in [insert desired wattage]) of the data center at full operating capacity and related information including but not limited to:
    (a) Daily, monthly, and peak energy usage, energy types (e.g., fossil fuel, renewable, or other), and corresponding percentages of peak operation, along with expected frequency of peak loads and its corresponding water use (i.e., amount of water used for energy production); and
    (b) Summary of GHG emissions and other air pollutants produced, total waste heat produced, percentage of waste heat recovered and reused, and the uses for recovered heat (e.g., building heating or cooling systems.

  (4) Minimum, maximum, and average water usage (measured in gallons) of the data center at full operating capacity and related information including but not limited to:

(a) Daily, monthly, and annual water consumption.
    1. The amount of potable and non-potable water used versus consumed.
(b) Discharge type and amounts, treatment chemicals, and temperature, and extent to which discharge amounts/treatment chemicals/temperature were adjusted.
(c) How the facility uses the water, which includes but is not limited to:
    1. Cooling technology's water usage;
    2. Staff use;
    3. Emergency use (e.g., firefighting); and
    4. Name and amount of all chemicals the facility is using in water.

(5) Any measure that was implemented in energy production and/or cooling processes to:
(a) Minimize water use;
(b) Reduce overall water consumption; and
(c) Promote water reuse, recycling, and reclamation of water resources.

(6) Costs for electricity, water, and other related infrastructure upgrades and developments that affect utility rates, along with identifying who was responsible for paying those costs.

(7) Efforts made to protect the environment and public from polluted water in the previous quarter.

Section 3. Public Records

(A) The [insert name of relevant state agency] shall publish the disclosure report online and make available to the public within ten days of receipt and hold at least two public hearings within ninety days after submission–with at least thirty days' advance notice to residents.

Section 4. Penalties and Enforcement

(A) Failure to submit a disclosure report may result in project approval holds and/or additional civil penalties:
(1) Project Approval Holds
(a) No political subdivision, agency or utility may issue a project approval or tax incentive until full compliance is demonstrated.

(2) Civil Penalties[102]
(a) Failure to submit a required disclosure report shall result in civil penalties not exceeding $25,000 per day per violation.

(3) Citizen Suit Provision[103]

(a) Any person may commence a civil action in state court against:
    1. Any data center or its agent alleged to be in violation of this Act; or
    2. The [designated regulatory entity] for failure to perform any nondiscretionary duty.
(b) Remedies may include injunctive relief, civil penalties payable to the state, and attorney's fees for prevailing parties.

(4) Notice Requirement[104]
(a) No citizen suit may be filed until at least thirty days' written notice has been provided to the alleged violator and the [designated regulatory entity], except where immediate relief is necessary to prevent irreparable harm.

Goal 3. Protect Ratepayers from Bearing Increased Utility Costs

The rapid nationwide expansion of AI-data centers is associated with sharply rising electricity rates in some markets, and the public has expressed increasing concern about the lack of public transparency around cost allocation for the infrastructure required to support these resource-intensive facilities. Researchers from Carnegie Mellon University warn that data center growth could drive electricity costs up by as much as 25% in some regions, while triggering significant investments in transmission and generation infrastructure.[105]

Furthermore, the push to provide new energy capacity for data centers poses the risk of creating more stranded assets.[106] For example, Wisconsin Watch reported in 2025 that Wisconsin utility ratepayers owe nearly $1 billion for stranded assets, specifically coal power plants that have been or soon will be shut down. In Wisconsin, the investor-owned utilities are allowed to set electricity rates high enough to recover its investment plus a rate of return, even after a plant is retired.[107] In such a regulatory environment, there are incentives to overbuild and rely on uneconomical sources of power.[108] Without regulations to temper these incentives, rate payers are left exposed to bearing the costs of risky investments. AI-data centers are a risk multiplier because they are proposing enormous increases in electricity generation and transmission lines for an emerging industry. If the industry expansion is a bubble, ratepayers could be exposed to paying for the ongoing costs of electricity infrastructure.

Several states have responded by setting a policy goal to protect ratepayers from bearing any increased utility costs associated with AI-data centers. States have introduced legislation with protective measures to help ensure fair and equitable cost distribution for ratepayers.[109] Michigan, North Carolina, and Georgia would protect ratepayers by explicitly prohibiting utilities from passing energy infrastructure costs incurred to serve data centers onto residential customers.[110] Oregon enacted the POWER Act, which provides general protections for ratepayers by requiring large energy-use facilities, like data centers, that consume over 20

MW, to be classified separately and enter into 10-year contracts with utility providers.[111] As a hedge against stranded assets, these Oregon contracts mandate payment for a commission-set baseline energy amount, regardless of actual usage.[112] Another approach to mitigating the risk of stranded assets comes from Minnesota, which requires any tariff or energy supply agreement between a utility and a data center include provisions ensuring that other customers are not exposed to stranded costs associated with serving a very large load.[113]

To prevent ratepayers from covering any AI-data center-related costs, we offer a model that combines these approaches by providing clear prohibitions on data centers and other large-resource users from passing increased infrastructure or project-related costs (e.g., electricity or water) onto local customers and mitigating the risk of stranded assets.

Legislative Responses:

A. Ensure High-Demand Customers Pay Full Costs of Electricity and Mitigate Risk of Energy-Related Stranded Assets

AI-Data Center Electric Utility Rates and Stranded Asset Mitigation[114]

(A) Notwithstanding any other provision of law, no costs incurred by a public utility for the purpose of serving AI-data centers—including, but not limited to, costs associated with increased fuel requirements, generation, transmission, or grid upgrades—shall be recovered through rates or charges imposed on the public (i.e., residents) or non-data-center customers.

(B) All such costs must be borne exclusively by the data center or its affiliates through a dedicated statewide rate structure.

(C) Any rate structure, tariff or agreement must contain protections necessary to ensure that other customers of the public utility do not pay for any stranded costs associated with the utility serving an AI-data center.

(D) [Insert name of relevant agency] shall obligate the data center to pay a minimum baseline-usage fee as determined by the [insert name of relevant agency], based on the data center's projected electricity usage the utility is contracted to provide for the duration of the contract, regardless of actual usage.

(E) [Insert name of relevant agency] is authorized to issue any rules or orders it deems necessary to implement this Act and ensure no other utility ratepayer has any cost increases from data centers.

B. Ensure High-Demand Customers Pay Full Costs of Water Service

Rising water demand from AI-data centers has raised concerns about water utility bill increases for residential customers, according to the American Water Works Association (AWWA), in its *Cooling the Cloud: Water Utilities in a Data-Driven World* report.[115] Much of the foundational knowledge for rate-setting already exists—through resources such as AWWA's *Principles of Water Rates, Fees, and Charges*—that utilize tools such as distinct customer classes, connection charges, and system development charges to allocate costs fairly.[116] The report also emphasizes that while these frameworks remain relevant to high-demand data centers' water use, they may need to be applied differently and at a faster pace than in cases of typical water system growth.[117]

Although no states have enacted specific data center-related water rate laws or requirements for AI-data centers to contribute financially to water-specific infrastructure upgrades, Texas and Oregon have enacted energy-sector laws requiring public utilities to use similar tools as those described in AWWA's manual of practice that establish distinct customer classes and impose connection or baseline-usage fees for large energy users.[118] We suggest a model for regulating water utilities that incorporates comparable provisions, ensuring that high-demand users like AI-data centers are appropriately classified and charged.

AI-Data Centers Water Utility Rates[119]

(A) Under [insert relevant Title(s)/Section(s)], the [insert name of agency or utility] shall be required to:
  (1) Ensure that an AI-data center remains fully responsible for all costs associated with, including but not limited to:
    (a) The development, expansion, operation, and maintenance of water utility infrastructure for water supply, wastewater treatment, and stormwater management systems, to serve the data center.
  (2) Obligate the data center to pay a minimum baseline-usage fee as determined by the [insert name of agency or utility], based on the data center's projected water usage for the water services the utility company/municipality is contracted to provide for the duration of the contract, regardless of actual usage.

Goal 4. Establish Energy and Water Efficiency Prerequisites for AI-Data Centers as Conditions for Permit Approval or Eligibility for Tax Exemptions

The rapid expansion of AI-data centers is reshaping energy and infrastructure demands nationwide. Researchers from Carnegie Mellon University warn that surging electricity demand from AI-data centers is projected to strain grids, increase reliance on fossil fuels, and elevate GHG emissions and local air pollution, undermining state renewable energy and climate goals.[120] This directly conflicts with sustainability goals of the large technology companies, state clean energy goals, and the physics of climate change.[121] Additionally, powering AI-data centers on anything other than wind and solar comes with very large water demands. Water consumption by AI-data centers is further increased by the cooling needs of the facilities.[122] To align AI-data centers with critical sustainability goals for society, we articulate a policy goal of energy and water efficiency as prerequisites to approvals or tax incentives. This can be accomplished through legislative responses that focus on establishing both as requirements of AI-data center development to obtain permit approvals or tax incentives.

Legislative Responses:

A. Renewable Energy Requirement

Despite concerns for increased reliance on older and more costly fossil-fuel plants,[123] only New Jersey and Wisconsin have proposed legislation requiring AI-data centers to use renewable energy as a condition for obtaining permits or tax incentives.[124] New Jersey's proposal would require all electricity be derived from clean energy sources, specifically renewable and/or nuclear sources,[125] while Wisconsin would require data centers to source at least 70% of electricity from renewable energy to qualify for state tax exemptions.[126] Additionally, the Clean Economy Coalition of Wisconsin suggested in the Data Center Accountability Framework that in order to maximize distributed energy resources to meet state energy needs, data centers should commit "at least 30% of their peak load to utility demand response programs."[127] These programs would allow data centers to "temporarily reduce energy use during periods of high demand, easing stress on the grid, lowering costs, and reducing the need for new generation."[128] We offer a model that combines these approaches by requiring AI-data centers and other large-energy users to source a defined percentage of their electricity from renewable energy and adds a demand response option when feasible.

AI-Data Center Energy Requirements[129]

(A) The [insert agency] shall require the development, construction, renovation, expansion, replacement, or repair of AI-data center facilities and other large-energy users obtain at least [insert %] of the total annual electric energy used by the facilities from renewable resources developed for the data center project.
(B) The [insert agency] shall require data centers to commit no less than 30% of their peak load to utility demand response programs.

B. Minimize Water Consumed Cooling AI-Data Centers

AI-data centers rely on large amounts of water for direct cooling of their facilities.[130] The impact of these increased water demands could be mitigated by use of closed loop systems, but only if the increased electricity needed to power such systems is from low-water use sources. Some states are considering requiring closed loop cooling to reduce the water demands for cooling AI-data centers.[131] Another way to minimize water consumed in cooling data centers is to use non-potable, reclaimed wastewater.[132] Here, we interchangeably use the terms water recycling, reclaimed wastewater, and water reuse. The Great Lakes Commission in its *Non-Potable Water Reuse Development in the Great Lakes Basin* Resolution of 2025, affirmed the importance of expanding non-potable water reuse—particularly in industrial processes, landscape maintenance, and construction—throughout the Great Lakes and St. Lawrence River Basin.[133] State laws and regulations may need to be updated to allow for water reuse and recycling, such as using non-potable water for cooling, according to the Alliance for the Great Lakes 2025 Water Use Report.[134]

Given this, we offer model legislation that integrates requirements for evaluating and, where feasible, implementing closed loop cooling, and reusing wastewater or non-potable water directly into the project permitting process. Integrating a defined reuse assessment and implementation framework into the permitting process would help ensure that AI-data centers meaningfully pursue these measures and contribute to advancing regional water-sustainability goals.

AI-Data Center Water Reuse[135]

(A) **Water Reuse Feasibility Assessment (Required at Time of Application).** As part of any pre-approval disclosures, permit or project approval application, the applicant shall submit a "Water Reuse Feasibility Assessment" to [insert name of agency] that evaluates:
  (1) The electricity and water tradeoffs (direct and indirect water use) involved in cooling data centers with closed loop systems;
  (2) The opportunities to reuse non-potable water for cooling and other operational needs;
  (3) The availability and reliability of reclaimed or recycled water supplies to support water reuse;
  (4) The technical, economic, and environmental feasibility of reuse;
  (5) Infrastructure required to support reuse;
  (6) Anticipated potable-water savings from implementation; and
  (7) Whether the cooling technology is best available for water conservation goals, considering direct and indirect water consumption.

(B) No permit application shall be deemed complete without the assessment in section A.

(C) **Water Reuse Implementation Plan (Required When Feasible).** If the [insert name of agency] determines that non-potable water reuse is feasible, the applicant shall submit a "Water Reuse Implementation Plan" that includes:
  (1) Projected volumes of non-potable water to be incorporated;
  (2) Construction or retrofitting needed to support reuse;
  (3) Timelines for implementation; and
  (4) Agreements or coordination with water or wastewater suppliers.

(D) Permit approval shall be conditioned on the adoption of an Implementation Plan if the state agency determines that reuse is feasible.

Goal 5. Increase Funding for Water Management and Conservation

To strengthen water resource management and help ensure long-term sustainability, states benefit from a comprehensive surface and groundwater program with well-monitored resources.[136] State water management programs should equip agencies with the necessary tools and resources to proactively manage interconnected uses of surface and groundwater supplies before crises occur. To implement this, states need to have a clearly defined appropriation for water management. We articulate a policy goal to increase funding for

managing water resources and recommend a dedicated funding source as a legislative approach to implement this goal. Minnesota's approach is to establish an energy and conservation account to support energy conservation and weatherization, using funds that the commissioner collects from the qualified large-scale data centers on an annual basis.[137] Minnesota's fee ranges from $2 million to $5 million, depending on peak energy demand.[138]

We recommend a model that creates a dedicated conservation account funded by contributions from AI-data centers. This account would provide annual financial support for water management, which could be more broadly defined based on state goals to include environmental protection, natural resource management, and conservation projects. Our model does not set an upper end for the fee, but instead increases the fee with each incremental increase in project size.

Legislative Responses:

A. Create Funding Mechanism

AI-Data Center Environmental Conservation Fund[139]

Section 1. Fee on AI-Data Centers

(A) The [insert agency] shall collect an annual fee from AI-data centers and deposit it into the environmental conservation account. The fee is based on peak energy demand and will be as follows:
  (1) For peak demand of between [insert number in MWand insert number in MW; suggest 10 to 100 MW], the annual fee will be [insert $ amount; suggest $2,000,000].
  (2) For peak demand above [insert the top number in subsection 1, suggest 100 MW], the fee increases in increments of $1,000,000 for each additional 50 MW.

Section 2. Environmental Conservation Account

(A) The environmental conservation account is established in the special revenue fund in the state treasury and funded by the fee on AI-data centers established in section 1.
  (1) Money in the environmental conservation account shall be used to conduct environmental conservation efforts including but not limited to:
    (a) Mapping, monitoring, and evaluating surface water and groundwater resources, aquifer characterization, recharge assessment, watershed condition, and water-availability modeling.

(b) Identifying, measuring, and forecasting water use and water demand associated with industrial, municipal, agricultural, and technological sectors, including AI-data centers.
(c) Evaluating and identifying data center sites in areas that reuse brownfields, avoid or reduce disturbances to sensitive habitats, water resources, agricultural lands, and areas of high conservation value.
(d) [Insert other conservation and environmental protection purposes according to state priorities.]

CONCLUSION

The regulatory landscape governing AI-data center development is rapidly evolving. Our findings demonstrate not only the breadth of state and federal activity in this area, but also the significant gaps that remain, particularly with respect to requiring impact assessments prior to any permit approval, upfront and ongoing transparency and public disclosure, and long-term water resource conservation and management. While many states have enacted laws to incentivize AI-data centers, an increasing number, including several of those same states, have also begun adopting safeguards to help ensure that communities retain reliable and affordable access to electricity and water. Furthermore, we highlight where regulatory momentum is building, where effective policy models are emerging, and where significant gaps in governance remain. Most notably, the continued absence of comprehensive and timely disclosure requirements undermines public understanding and limits informed decision-making around siting, permitting, and environmental impacts.

Continued research will be essential to monitor rapidly evolving local, state, and federal legislation and to evaluate the effectiveness of new policies and their implementing regulations. Additional analysis will also be needed to assess the full national cost-benefit profile of AI-data center development, particularly as cumulative impacts on water resources, energy systems, and ratepayers become clearer. Accordingly, our options for legislative responses are provisional. Moving forward, sustained communication with interested stakeholders, community organizations, and technical experts will be critical to developing more comprehensive policy recommendations and ensuring meaningful local involvement as the AI-data center industry continues to grow and evolve.

Endnotes

[1] *Leading Countries by Number of Data Centers as of November 2025*, STATISTA (Feb. 27, 2026), https://www.statista.com/statistics/1228433/data-centers-worldwide-by-country/.
[2] There are four main categories of data centers:

> (1) "[E]nterprise" data centers serve the needs of the company that owns them. Think of a corporation that stores in-house information on its own computers.
> (2) "Hyperscale" data centers, owned by companies like Amazon or Meta, have computer servers that cater solely to the company's customers.
> (3) "Edge" data centers are smaller buildings in or near major population centers, where digital connectivity becomes almost instantaneous for, say, a passing driverless car.
> (4) "Colocation" data centers . . . lease space to other businesses that hook up their servers to cables that belong to the data center company. Equinix is among the world's largest owners of colocation centers.

Peyton McCauley, Cora Sutherland, & Melissa K. Scanlan, *Powering Progress or Peril? The Hidden Environmental Costs of Data Centers and AI*, 51 RUTGERS COMP. & TECH. L. J. SPEC. EDITION 1, 15 (2025) (citing Antonio Olivo and William Neff, *Our Digital Lives Need Massive Data Centers. What Goes on Inside Them?*, WASH. POST (Sep. 17, 2024), https://www.washingtonpost.com/dc-md-va/interactive/2024/data-centers-tour-northern-virginia/).
[3] Mary Zhang, *United States Data Centers: Top 10 Locations in the USA*, DGTL INFRA (Apr. 11, 2024), https://dgtlinfra.com/united-states-data-centers/. We note discrepancies across sources regarding the exact number of data centers and megawatts, but it was the best available data in April 2024.
[4] *OpenAI, Oracle, and SoftBank expand Stargate with five new AI data center sites*, OPENAI (Sep. 23, 2025), https://openai.com/index/five-new-stargate-sites/.
[5] S. 9144, Reg. Sess. § 1 (N.Y.) (proposed).
[6] Arman Shehabi et al., 2024 United States Data Center Energy Usage Report, LAWRENCE BERKELEY NAT'L LAB'Y, 55-56 (Dec. 2024), https://eta-publications.lbl.gov/sites/default/files/2024-12/lbnl-2024-united-states-data-center-energy-usage-report.pdf. The source of electricity impacts the amount of water consumed, with fossil fuels consuming more water than wind and solar. Cutler Cleveland, *What methods of electricity generation use the most water?*, BOSTON UNIV. (July 28, 2025), https://visualizingenergy.org/what-methods-of-electricity-generation-use-the-most-water/.
[7] Mytton, D., *Data centre water consumption*, NPJ CLEAN WATER 4, 11 (Feb. 15, 2021), https://www.nature.com/articles/s41545-021-00101-w; Miguel Yañez-Barnuevo, *Data Centers and Water Consumption* (June 25, 2025), https://www.eesi.org/articles/view/data-centers-and-water-consumption.
[8] Adam Satariano, Paul Mozur & Karen Weise, *Microsoft Pledged to Save Water. In the A.I. Era, It Expects Water use to Soar,"* N.Y. TIMES (Jan. 27, 2026) https://www.nytimes.com/2026/01/27/technology/microsoft-water-ai-data-centers.html?smid=nytcore-ios-share.
[9] Michael Blackhurst et al., *Data Center Growth Could Increase Electricity Bills 8% Nationally and as Much as 25% in Some Regional Markets*, CARNEGIE MELLON UNIV. (July 26, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/data-center-growth-could-increase-electricity-bills.
[10] Michael Blackhurst et al., *Data Center Growth Could Increase Electricity Bills 8% Nationally and as Much as 25% in Some Regional Markets*, CARNEGIE MELLON UNIV. (July 26, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/data-center-growth-could-increase-electricity-bills; Cutler Cleveland, *What methods of electricity generation use the most water?*, BOSTON UNIV. (July 28, 2025), https://visualizingenergy.org/what-methods-of-electricity-generation-use-the-most-water/.
[11] Tianqi Xiao et al., *Environmental impact and net-zero pathways for sustainable artificial intelligence servers in the USA*, NATURE SUSTAINABILITY (Nov. 10, 2025), https://www.nature.com/articles/s41893-025-01681-y.
[12] *See, e.g.,* Joe Schulz, *Data centers could cost Wisconsin's energy system billions, increase reliance on fossil fuels*, WISCONSIN PUBLIC RADIO (Jan. 22, 2026), https://www.wpr.org/news/data-centers-could-cost-wisconsins-energy-system-billions-increase-reliance-fossil-fuels; Sarah Cwiek, *Report: Data centers poised to push energy costs, challenge MI's climate goals*, MICHIGAN PUBLIC (Jan. 21, 2026), https://www.michiganpublic.org/environment-climate-change/2026-01-21/report-data-centers-poised-to-push-up-energy-costs-challenge-mis-climate-goals.

[13] McCauley, et al., *Powering Progress or Peril? The Hidden Environmental Costs of Data Centers and AI*, 51 RUTGERS COMP. & TECH. L. J. SPEC. EDITION 23–26, 30.
[14] McCauley, et. al., *Powering Progress or Peril? The Hidden Environmental Costs of Data Centers and AI*, 51 RUTGERS COMP. & TECH. L. J. SPEC. EDITION 22; Nicholas Z. Muller & Valerie J. Karplus, *Powering Environmentally Sustainable AI*, CARNEGIE MELLON UNIV. (July 16, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/powering-environmentally-sustainable-ai; Rebecca Leppert, *What we know about energy use at U.S. data centers amid the AI boom*, PEW RESEARCH CENTER (Oct. 24, 2025), https://www.pewresearch.org/short-reads/2025/10/24/what-we-know-about-energy-use-at-us-data-centers-amid-the-ai-boom/; Michael Blackhurst et al., *Data Center Growth Could Increase Electricity Bills 8% Nationally and as Much as 25% in Some Regional Markets*, CARNEGIE MELLON UNIV. (July 26, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/data-center-growth-could-increase-electricity-bills.
[15] Emma Strubell & Tamara Kneese, *Building Public Trust: Developing Framework for Measuring and Reporting the Impacts of AI*, CARNEGIE MELLON UNIV. (July 16, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/building-public-trust; Ramayya Krishnan, Mitul Jhaveri & Jay Palat, *Measuring AI's Energy and Environmental Footprint*, CARNEGIE MELLON UNIV. (July 16, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/measuring-ais-energy-and-environmental-footprint; Nicholas Z. Muller & Valerie J. Karplus, *Powering Environmentally Sustainable AI*, CARNEGIE MELLON UNIV. (July 16, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/powering-environmentally-sustainable-ai.
[16] A Virginia study shows 25 out of 31 local governments hosting data centers had signed NDAs. Eric Bonds & Viktor Newby, *Data centers, non-disclosure agreements and democracy*, VIRGINIA MERCURY (Apr. 30, 2025), https://virginiamercury.com/2025/04/30/data-centers-non-disclosure-agreements-and-democracy/. "An NBC News review of over 30 data center proposals across 14 states found that in many cases, local officials signed NDAs and worked with what appeared to be shell companies that can conceal visibility into the project developers. Five elected officials in different counties said the agreements barred them from sharing information with their constituents." *How NDAs keep AI data center details hidden from Americans*, NBC NEWS (Oct. 28, 2025), https://www.nbcnews.com/tech/tech-news/data-center-ai-google-amazon-nda-non-disclosure-agreement-colossus-rcna236423; Tom Kertscher, *At least four Wisconsin communities signed secrecy deals for billion-dollar data centers*, WISCONSIN WATCH (Jan. 26, 2026), https://wisconsinwatch.org/2026/01/wisconsin-data-center-secrecy-deals-nda-nondisclosure-agreement/.
[17] Ariz. Code § 41-1519 (enacted); Ark. Code § 26-52-456 (enacted); Fla. Stat. § 212.08, H.B. 7031, Chapter No. 2025-208 (Fla. 2025) (enacted); Idaho Stat. § 63-3622VV (enacted); Ind. Code §§ 6-2.5-15-2, 6-1.1-10-54 (enacted); H.E.A. 1405, 121st Gen. Assemb., First Reg. Sess. (Ind. 2019) (enacted); H.E.A. 1601, 124th Gen. Assemb., First Reg. Sess. (Ind. 2025) (enacted); Kan. Stat. Supp. 66-101j, 79-3606 (enacted); S.B. 98, 2025 Reg. Sess. (Kan. 2025) (enacted); La. Rev. Stat. 47:305.73 (enacted).
[18] Md. Pub. Util. §§ 1–101(a), 7–207(a)(1), S.B. 747, Reg. Sess. (Md. 2024) (enacted).
[19] H.B. 5396, Reg. Sess. (Mich.) (proposed); S.B. 408, Gen. Sess. (Ga.) (proposed); H.B. 609, 68th Legis. (Idaho); H.B. 96 (Ohio) (vetoed 2026).
[20] H.B. 5396, Reg. Sess. (Mich.) (proposed).
[21] S.B. 410, Gen. Sess. (Ga.) (proposed).
[22] S.B. 408, Gen. Sess. (Ga.) (proposed).
[23] Exec. Order No. 14318, Accelerating Federal Permitting of Data Center Infrastructure (July 23, 2025); Exec. Order No. 14319, Preventing Woke AI in the Federal Government (July 23, 2025); Exec. Order No. 14320, Promoting The Export of the American AI Technology Stack (July 23, 2025); Exec. Order Ensuring A National Policy Framework For Artificial Intelligence (Dec. 11, 2025).
[24] FOOD & WATER WATCH, *Letter to Congress* (Dec. 8, 2025), https://www.foodandwaterwatch.org/wp-content/uploads/2025/12/Org-Letter_-National-Data-Center-Moratorium.pdf.
[25] A non-exhaustive list of recent federal law proposals follows:

- SANDBOX Act, S. 2750, 119th Cong. (2025). In September 2025, Senator Ted Cruz introduced this Act, which would constrain states' ability to independently regulate AI activities by directing the Office of Science and Technology Policy to create a federal AI regulatory sandbox that allows agencies to waive or modify certain requirements for limited AI testing and, by accepting joint applications for projects seeking both federal and state regulatory relief.

- Preventing Rate Inflation in Consumer Energy (PRICE) Act, H.R. 6983, 119th Cong. 1st Sess. (2026). In January 2026, Representatives Robert Menendez and Greg Casar introduced the PRICE Act, which requires data centers to generate their own electricity and that at least 75% of that energy be derived from a clean energy source.
- Data Center Transparency Act, H.R. 6984, 119th Cong. 1st Sess. (2026). The Data Center Transparency Act would require the EPA to submit to Congress and make publicly available reports on the effects of data centers on air and water quality, as well as their electricity consumption.
- Protecting Families from AI Data Center Energy Costs Act, H.R. 6529, 119th Cong. 1st Sess. (2025). In December 2025, Representatives Greg Landsman from Ohio and Don Beyer from Virginia supported Protecting Families from AI Data Center Energy Costs Act (HR 6529) that would direct the Federal Energy Regulatory Commission (FERC) to hold a Commissioner-led technical conference within 90 days of the Act's enactment to explore strategies and rate structures that protect residential and small business customers from increased utility costs driven by large electricity users such as AI-data centers.
- Power for the People Act of 2026, S. 3682, 119th Cong., 2nd Sess. (2026), https://www.vanhollen.senate.gov/imo/media/doc/van_hollen_power_for_the_people_act.pdf. Senator Chris Van Hollen introduced the Power for the People Act, which is designed to keep electricity affordable and safeguard grid reliability by requiring data centers to fully shoulder the energy system costs they generate. Specifically, it directs states to consider dedicated rate classes for data centers, instructing FERC to ensure these facilities pay for the local transmission upgrades they necessitate, and establishing a structured interconnection system that encourages data centers to add their own clean power generation, storage, and flexible load practices.

[26] Exec. Order Ensuring a National Policy Framework for Artificial Intelligence (Dec. 11, 2025).

[27] *See* Adam Satariano, Paul Mozur & Karen Weise, *Microsoft Pledged to Save Water. In the A.I. Era, It Expects Water use to Soar*, N.Y. TIMES (Jan. 27, 2026), https://www.nytimes.com/2026/01/27/technology/microsoft-water-ai-data-centers.html?smid=nytcore-ios-share; Francesca Pica, Jessica Opoien & Claudia Levens, *Anti-data center protests held in 7 Wisconsin cities* (Dec. 2, 2025), https://www.jsonline.com/story/news/local/2025/12/02/residents-climate-groups-hold-anti-data-center-rallies-in-wisconsin/87576668007/.

[28] FOOD & WATER WATCH, *Letter to Congress* (Dec. 8, 2025), https://www.foodandwaterwatch.org/wp-content/uploads/2025/12/Org-Letter_-National-Data-Center-Moratorium.pdf; Emma Strubell & Tamara Kneese, *Building Public Trust: Developing Framework for Measuring and Reporting the Impacts of AI*, CARNEGIE MELLON UNIV. (July 16, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/building-public-trust; Ramayya Krishnan, Mitul Jhaveri & Jay Palat, *Measuring AI's Energy and Environmental Footprint*, CARNEGIE MELLON UNIV. (July 16, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/measuring-ais-energy-and-environmental-footprint; Nicholas Z. Muller & Valerie J. Karplus, *Powering Environmentally Sustainable AI*, CARNEGIE MELLON UNIV. (July 16, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/powering-environmentally-sustainable-ai.

[29] Natalie Kainz, *How NDAs keep AI data center details hidden from Americans*, NBC NEWS (Oct. 28, 2025), https://www.nbcnews.com/tech/tech-news/data-center-ai-google-amazon-nda-non-disclosure-agreement-colossus-rcna236423.

[30] Charles Franklin, *New Marquette Law School Poll finds large majority of Wisconsin voters undecided on candidates for state Supreme Court, governor*, MARQUETTE UNIV. LAW SCHOOL POLL (Feb. 25, 2026), https://law.marquette.edu/poll/2026/02/25/mlsp87-release/.

[31] *See, e.g.,* N.J. Pub. L. 2025, c. 98, A. 5466, 221st Legis. (N.J. 2025) (enacted); S.B. 135, 1st Reg. Sess., 124th Gen. Assemb. § 8-1-44(1) (Ind.) (proposed); S.B. 79, 2nd Reg. Sess., 124th Gen. Assemb. § 8-1-44.5(1) (Ind.) (proposed); S.B. 729, 2025-2026 Reg. Sess. §103.08(1)(a) (Wis.) (proposed).

[32] *See, e.g.,* ORS § 757.292(d), H.B. 3546, 83rd Legis. Assemb., Reg. Sess. (Or. 2025) (enacted); S.B. 6171, 2025-2026 Gen. Assemb. § 1 (Wash.) (proposed).

[33] *See, e.g.,* Minn. Stat. § 297A.68, Subdiv. 42 (2025) (enacted); A. 3966, 222nd Legis., Reg. Sess. (N.J.) (proposed); S.B. 729, 2025-2026 Reg. Sess. §103.08(4)(d) (Wis.) (proposed).

[34] S.B. 1292, Reg. Sess. § 1(2) (Conn.) (proposed).

[35] *See, e.g.,* N.J. Pub. L. 2024, c.49 (C.34:1B-395, § 2) (enacted).

[36] Great Lakes Commission, *Water-Energy nexus for Datacenters, Artificial Intelligence (AI), Quantum, and Semiconductor Infrastructure Development* Resolution (adopted Oct. 30, 2025), https://www.glc.org/wp-content/uploads/FINAL-GLC-Resolution-WEN-for-AQS-Development-20251030.pdf.
[37] S.B. 4016, Gen. Assemb. § 60.4 (Ill) (proposed).
[38] *See, e.g.,* BRISTOL, TENN. ORDINANCE 25-20 (2025), https://www.bristoltn.gov/AgendaCenter/ViewFile/Agenda/_09092025-1704; Hailey Pitcher, *Bristol, TN voted in favor of ordinance placing moratorium on data centers*, WJHL (Sep. 9, 2025).
[39] H.B. 1012, 2026 Reg. Sess. § 36-80-32 (Ga.) (proposed); H.B. 120, 2026 Emergency Bill (Md.) (proposed); S. 9144, Reg. Sess. § 31-0103 (N.Y.) (proposed); S.B. 1488, 60th Legis. (Okla.) (proposed); L.R.B. 6377 and L.R.B. 6391, Reg. Sess. (Wis.) (proposed).
[40] H.B. 1012, 2026 Reg. Sess. § 36-80-32 (Ga.) (proposed); H.B. 120, 2026 Emergency Bill (Md.) (proposed); S. 9144, Reg. Sess. § 31-0103 (N.Y.) (proposed); S.B. 1488, 60th Legis. (Okla.) (proposed).
[41] H.B. 1012, 2026 Reg. Sess. § 36-80-32 (Ga.) (proposed); H.B. 120, 2026 Emergency Bill (Md.) (proposed); S. 9144, Reg. Sess. § 31-0107 (N.Y.) (proposed); S.B. 1488, 60th Legis. (Okla.) (proposed).
[42] S. 9144, Reg. Sess. § 31-0103 (N.Y.) (proposed).
[43] The moratorium language is inspired by elements found in the following proposed laws: H.B. 1012, 2026 Reg. Sess. § 36-80-32 (Ga.) (proposed); H.B. 120, 2026 Emergency Bill (Md.) (proposed); S. 9144, Reg. Sess. § 31-0103 (N.Y.) (proposed); S.B. 1488, 60th Legis. (Okla.) (proposed).
[44] BRISTOL, TENN. ORDINANCE 25-20 (2025), https://www.bristoltn.gov/AgendaCenter/ViewFile/Agenda/_09092025-1704; Hailey Pitcher, *Bristol, TN voted in favor of ordinance placing moratorium on data centers*, WJHL (Sep. 9, 2025), https://www.wjhl.com/news/local/bristol-tn-votes-in-favor-of-ordinance-placing-moratorium-on-data-centers/.
[45] LORDSTOWN VILLAGE COUNCIL, ORDINANCE No. 57-2025 (2025), https://www.lordstown.com/wp-content/uploads/57-2025.pdf.
[46] LORDSTOWN VILLAGE COUNCIL, ORDINANCE No. 57-2025 (2025), https://www.lordstown.com/wp-content/uploads/57-2025.pdf.
[47] MADISON LEGISTAR FILE NO. 91135, § 28.149 "Temporary Moratorium on Data Centers and Telecommunication Centers", https://madison.legistar.com/LegislationDetail.aspx?ID=7777877&GUID=3C3FE74A-BFCE-467F-AA7B-CBA5A2BF59FC&FullText=1.
[48] The local moratorium ordinance model is inspired by ordinances passed by Bristol, Tennessee; Lordstown, Ohio; and Madison, Wisconsin. BRISTOL, TENN. ORDINANCE 25-20 (2025), https://www.bristoltn.gov/AgendaCenter/ViewFile/Agenda/_09092025-1704; LORDSTOWN VILLAGE COUNCIL, ORDINANCE No. 57-2025 (2025), https://www.lordstown.com/wp-content/uploads/57-2025.pdf; MADISON LEGISTAR FILE NO. 91135, § 28.149 (2026) "Temporary Moratorium on Data Centers and Telecommunication Centers", https://madison.legistar.com/LegislationDetail.aspx?ID=7777877&GUID=3C3FE74A-BFCE-467F-AA7B-CBA5A2BF59FC&FullText=1.
[49] N.J. Pub. L. 2025, c. 98, A. 5466, 221st Legis. (N.J. 2025) (enacted); MADISON LEGISTAR FILE NO. 91135, § 28.149 "Temporary Moratorium on Data Centers and Telecommunication Centers", https://madison.legistar.com/LegislationDetail.aspx?ID=7777877&GUID=3C3FE74A-BFCE-467F-AA7B-CBA5A2BF59FC&FullText=1.
[50] A. 3966, 222nd Legis., Reg. Sess. § 2 (N.J.) (proposed).
[51] Pub. Util. Code § 913.22, S.B. 57, 2025-2026 Reg. Sess. (Cal. 2025) (enacted).
[52] H.B. 1579, 69th Legis. Assemb. § 1(c) (N.D. 2025) (enacted).
[53] Virginia Joint Legislative Audit Report No. 598, *Data Centers in Virginia* (2024).
[54] Virginia passed HB 2084 in March 2025 to direct the Virginia State Corporation Commission to evaluate whether Dominion Energy and Appalachian Power are using rates, tolls, charges, or schedules that contain reasonable classifications of utility customers. Va. Stat. § 56-585.1.
[55] A. 3966, 222nd Legis., Reg. Sess. § 2 (N.J.) (proposed); N.J. Pub. L. 2025, c. 98, A. 5466, 221st Legis. (N.J. 2025) (enacted); Pub. Util. Code § 913.22, S.B. 57, 2025-2026 Reg. Sess. (Cal. 2025) (enacted); H.B. 1579, 69th Legis. Assemb. § 1(c) (N.D. 2025) (enacted).
[56] The statewide cumulative impacts analysis model legislation is inspired by elements found in the following laws: A. 3966, 222nd Legis., Reg. Sess. § 2 (N.J.) (proposed); N.J. Pub. L. 2025, c. 98, A. 5466, 221st Legis. (N.J. 2025)

(enacted); Pub. Util. Code § 913.22, S.B. 57, 2025-2026 Reg. Sess. (Cal. 2025) (enacted); H.B. 1579, 69th Legis. Assemb. § 1(c) (N.D. 2025) (enacted).
[57] International Joint Commission, *Protection of the Waters of the Great Lakes: 2025 Report on Water Diversions and Uses* (Dec. 2025), https://www.ijc.org/sites/default/files/IJC%202025%20PWGL%20Final%20Report_EN_2025%2012%2019_1.pdf.
[58] International Joint Commission, *Protection of the Waters of the Great Lakes: 2025 Report on Water Diversions and Uses* 8 (Dec. 2025), https://www.ijc.org/sites/default/files/IJC%202025%20PWGL%20Final%20Report_EN_2025%2012%2019_1.pdf.
[59] International Joint Commission, *Protection of the Waters of the Great Lakes: 2025 Report on Water Diversions and Uses* 8 (Dec. 2025), https://www.ijc.org/sites/default/files/IJC%202025%20PWGL%20Final%20Report_EN_2025%2012%2019_1.pdf.
[60] Great Lakes Commission, *Water-Energy nexus for Datacenters, Artificial Intelligence (AI), Quantum, and Semiconductor Infrastructure Development* Resolution (adopted Oct. 30, 2025), https://www.glc.org/wp-content/uploads/FINAL-GLC-Resolution-WEN-for-AQS-Development-20251030.pdf.
[61] Great Lakes Commission, *Water-Energy nexus for Datacenters, Artificial Intelligence (AI), Quantum, and Semiconductor Infrastructure Development* Resolution 2 (adopted Oct. 30, 2025), https://www.glc.org/wp-content/uploads/FINAL-GLC-Resolution-WEN-for-AQS-Development-20251030.pdf.
[62] Great Lakes Commission, *Water-Energy nexus for Datacenters, Artificial Intelligence (AI), Quantum, and Semiconductor Infrastructure Development* Resolution 2 (adopted Oct. 30, 2025), https://www.glc.org/wp-content/uploads/FINAL-GLC-Resolution-WEN-for-AQS-Development-20251030.pdf.
[63] The regional cumulative impacts analysis model legislation is inspired by elements found in the following laws: A. 3966, 222nd Legis., Reg. Sess. § 2 (N.J.) (proposed); N.J. Pub. L. 2025, c. 98, A. 5466, 221st Legis. (N.J. 2025) (enacted); Pub. Util. Code § 913.22, S.B. 57, 2025-2026 Reg. Sess. (Cal. 2025) (enacted); H.B. 1579, 69th Legis. Assemb. § 1(c) (N.D. 2025) (enacted).
[64] *See, e.g*., Corin Cesaric, *AI Data Centers Are Coming for Your Land, Water and Power*, CNET (Sep. 24, 2025), https://www.cnet.com/tech/services-and-software/features/ai-data-centers-are-coming-for-your-land-water-and-power/ ("The developer, 1778 Rich Pike, is hoping to build a 34-building data center campus on 1,000 acres that spans Clifton and Covington townships" in Pennsylvania).
[65] *See, e.g*., Clean Economy Coalition of Wisconsin, *Data Center Accountability Framework*, https://cleaneconomywi.com/wp-content/uploads/2026/01/CECW-Data-Center-Accountability-Framework.pdf (last visited Jan. 30, 2025); Tom Kertscher & Paul Jiefer, *As energy-hungry data centers loom, Wisconsin ratepayers owe $1 billion on shuttered power plants*, WISCONSIN WATCH (Dec. 22, 2025), https://wisconsinwatch.org/2025/12/wisconsin-stranded-assets-power-plants-energy-data-centers-ratepayers-utility-cost/.
[66] A.B. 840, 2025-2026 Legis. § 299.70(3)–(4) (Wis.) (proposed).
[67] Minn. Stat. § 216B.1622, Subdiv. 2(3) (2025) (enacted).
[68] The mitigating stranded land assets model legislation is inspired by Wisconsin's proposed legislation: A.B. 840, 2025-2026 Legis. § 299.70(3)–(4) (Wis.) (proposed).
[69] *How NDAs keep AI data center details hidden from Americans*, NBC NEWS (Oct. 28, 2025), https://www.nbcnews.com/tech/tech-news/data-center-ai-google-amazon-nda-non-disclosure-agreement-colossus-rcna236423.
[70] *See, e.g.*, A.B. 222, 2025-2026 Reg. Sess. § 913.18 (Cal.) (proposed); S.B. 2181, 2025-2026 104th Gen. Assemb., Reg. Sess. § 15 (Ill.) (proposed); S.B. 135, 1st Reg. Sess., 124th Gen. Assemb. § 8-1-44(2)(a) (Ind.) (proposed); S.B. 79, 2nd Reg. Sess., 124th Gen. Assemb. § 8-1-44.5(2)(a) (Ind.) (proposed); S. 2274, 222nd Legis. § 1(b) (N.J.) (proposed); S. 6394A, 2025-2026 Reg. Sess. § 241 (N.Y.) (proposed); H.B. 3698, Reg. Sess. § 1 (Or.) (proposed).
[71] S. 6394A, 2025-2026 Reg. Sess. § 241 (N.Y.) (proposed).
[72] S.B. 135, 1st Reg. Sess., 124th Gen. Assemb. § 8-1-44(2)(a) (Ind.) (proposed); S.B. 79, 2nd Reg. Sess., 124th Gen. Assemb. § 8-1-44.5(2)(a) (Ind.) (proposed).
[73] S.B. 729, 2025-2026 Reg. Sess. § 66.0443(2) (Wis) (proposed).
[74] *See, e.g.,* O.C.G.A. § 48-8-3(68.1), Chapter 560-12-2 (enacted); Idaho Stat. § 63-3622VV (enacted); Ind. Code §§ 6-2.5-15-2, 6-1.1-10-54, H.E.A. 1405, 121st Gen. Assemb., First Reg. Sess. (Ind. 2019) (enacted), H.E.A. 1601, 124th Gen. Assemb., First Reg. Sess. (Ind. 2025) (enacted).

[75] Ramayya Krishnan, Mitul Jhaveri & Jay Palat, *Measuring AI's Energy and Environmental Footprint*, CARNEGIE MELLON UNIV. (July 16, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/measuring-ais-energy-and-environmental-footprint; Tom Kertscher, *At least four Wisconsin communities signed secrecy deals for billion-dollar data centers*, WISCONSIN WATCH (Jan. 26, 2026), https://wisconsinwatch.org/2026/01/wisconsin-data-center-secrecy-deals-nda-nondisclosure-agreement/.
[76] S.B. 484, Gen. Assemb. § 112.231 (Fla.) (proposed); H.B. 5399, Gen. Assemb. § 2 (Mich.) (proposed).
[77] S.B. 421, Gen. Assemb. § 36-80-32 (Ga.) (proposed); S.B. 436, Gen. Assemb. § 36-80-32 (Ga.) (proposed); S.B. 4004, 104th Gen. Assemb. § 25 (Ill) (proposed).
[78] S. 373, 2025-2026 Reg. Sess. §§ 11-a, 149, 99-aa, 107 (N.Y.) (proposed).
[79] S.B. 969, 2025-2026 Legis. § 66.10015(7) (Wis.) (proposed).
[80] H.B. 695, 136th Gen. Assemb. § 305.44 (Ohio) (proposed).
[81] H.B. 695, 136th Gen. Assemb. § 305.44 (Ohio) (proposed).
[82] The prohibition of NDAs model legislation is inspired by elements found in the following laws: S.B. 484, Gen. Assemb. § 112.231 (Fla.) (proposed); S.B. 969, 2025-2026 Legis. § 66.10015(7) (Wis.) (proposed); H.B. 5399, Gen. Assemb. § 2 (Mich.) (proposed).
[83] *See, e.g.,* S. 6394A, 2025-2026 Reg. Sess. § 241 (N.Y.) (proposed); S.B. 135, 1st Reg. Sess., 124th Gen. Assemb. § 36-7-4-1112 (Ind.) (proposed); S.B. 79, 2nd Reg. Sess., 124th Gen. Assemb. § 36-7-4-1112 (Ind.) (proposed).
[84] S. 6394A, 2025-2026 Reg. Sess. § 241(3)–(4) (N.Y.) (proposed); S.B. 135, 1st Reg. Sess., 124th Gen. Assemb. § 36-7-4-1112 (Ind.) (proposed); S.B. 79, 2nd Reg. Sess., 124th Gen. Assemb. § 36-7-4-1112 (Ind.) (proposed).
[85] S. 6394A, 2025-2026 Reg. Sess. § 242 (N.Y.) (proposed).
[86] H.B. 76, Data Center Water Transparency Amendments, 2026 Gen. Sess. § 73-5-8.3 (Utah) (proposed).
[87] Tex. Util. Code § 37.0561(d), S.B. 6, Legis., 89th Sess. (Tex. 2025) (enacted).
[88] The pre-approval disclosures model legislation is inspired by elements found in the following laws: S. 6394A, 2025-2026 Reg. Sess. §§ 241, 242, 243 (N.Y.) (proposed); S.B. 135, 1st Reg. Sess., 124th Gen. Assemb. § 36-7-4-1112 (Ind.) (proposed); S.B. 79, 2nd Reg. Sess., 124th Gen. Assemb. § 36-7-4-1112 (Ind.) (proposed); H.B. 76, Data Center Water Transparency Amendments, 2026 Gen. Sess. §§ 73-5-8.3 (3)–(4)(a), (6)(c) (Utah) (proposed); Tex. Util. Code § 37.0561(d), S.B. 6, Legis., 89th Sess. (Tex. 2025) (enacted); Clean Water Act, 33 U.S.C. § 1251 et seq.
[89] This amount is inspired by the civil penalties set by the federal Clean Water Act, subject to inflation. 33 U.S.C. § 1319(d).
[90] The citizen suit and notice requirement provisions are inspired by the citizen suit provision established by the federal Clean Water Act. 33 U.S.C. § 1365(a)–(b).
[91] 33 U.S.C. § 1365(b).
[92] S.B. 135, 1st Reg. Sess., 124th Gen. Assemb. § 8-1-44(2)(a) (Ind.) (proposed); S.B. 79, 2nd Reg. Sess., 124th Gen. Assemb. § 8-1-44.5(2)(a) (Ind.) (proposed); S. 6394A, 2025-2026 Reg. Sess. §§ 242–243 (N.Y.) (proposed); S.B. 2181, 2025-2026 104th Gen. Assemb., Reg. Sess. § 20 (Ill.) (proposed).
[93] S. 6394A, 2025-2026 Reg. Sess. § 243 (N.Y.) (proposed).
[94] H.B. 76, Data Center Water Transparency Amendments, 2026 Gen. Sess. § 73-5-8.3(4)(a) (Utah) (proposed).
[95] S.B. 1292, Reg. Sess. § 1(b) (Conn.) (proposed).
[96] S.B. 135, 1st Reg. Sess., 124th Gen. Assemb. § 8-1-44(2)(a) (Ind.) (proposed); S.B. 79, 2nd Reg. Sess., 124th Gen. Assemb. § 8-1-44.5(2)(a) (Ind.) (proposed).
[97] S.B. 2181, 2025-2026 104th Gen. Assemb., Reg. Sess. § 15 (Ill.) (proposed); Adriana Pérez, *Surging number of data centers around the Great Lakes could lead to water shortages, report says*, CHICAGO TRIBUNE (Sep. 10, 2025), https://www.chicagotribune.com/2025/09/10/great-lakes-data-centers-water-threats/?share=stawutt0rnbt25t5ah5c; S.B. 762, Reg. Sess. § 5a(2) (Mich.) (proposed); H.B. 528, 2025-2026 Reg. Sess. § 48-1-11 (Ga.) (proposed); H.B. 3698, Reg. Sess. § 1 (Or.) (proposed).
[98] S.B. 2181, 2025-2026 104th Gen. Assemb., Reg. Sess. § 15 (Ill.) (proposed); S.B. 762, Reg. Sess. § 5a(2) (Mich.) (proposed); H.B. 528, 2025-2026 Reg. Sess. § 48-1-11(b) (Ga.) (proposed); H.B. 3698, Reg. Sess. § 1 (Or.) (proposed).
[99] S.B. 729, 2025-2026 Reg. Sess. §§ 66.0443, 196.493 (Wis.) (proposed).
[100] S.B. 2181, 2025-2026 104th Gen. Assemb., Reg. Sess. § 25 (Ill.) (proposed); H.B. 76, Data Center Water Transparency Amendments, 2026 Gen. Sess. § 73-5-8.3(6) (Utah) (proposed).
[101] The ongoing social and environmental impact reports model legislation is inspired by elements found in the following laws: S. 6394A, 2025-2026 Reg. Sess. §§ 241, 242, 243 (N.Y.) (proposed); H.B. 76, Data Center Water

Transparency Amendments, 2026 Gen. Sess. §§ 73-5-8.3(3)–(4)(a), (6)(c) (Utah) (proposed); S.B. 1292, Reg. Sess. § 1(b) (Conn.) (proposed); S.B. 135, 1st Reg. Sess., 124th Gen. Assemb. § 8-1-44(2)(a) (Ind.) (proposed); S.B. 79, 2nd Reg. Sess., 124th Gen. Assemb. § 8-1-44.5(2)(a) (Ind.) (proposed); S.B. 2181, 2025-2026 104th Gen. Assemb., Reg. Sess. §§ 15, 25 (Ill.) (proposed); S.B. 762, Reg. Sess. § 5a (Mich.) (proposed); H.B. 528, 2025-2026 Reg. Sess. §48-1-11 (Ga.) (proposed); H.B. 3698, Reg. Sess. § 1 (Or.) (proposed); S.B. 729, 2025-2026 Reg. Sess. § 196.493(2) (Wis.) (proposed); 33 U.S.C. § 1365(a)-(b); Clean Water Act, 33 U.S.C. § 1251 et seq.

[102] This amount is inspired by the civil penalties set by the federal Clean Water Act, subject to inflation. 33 U.S.C. § 1319(d).

[103] The citizen suit and notice requirement provisions are inspired by the citizen suit provision established by the federal Clean Water Act. 33 U.S.C. § 1365(a)–(b).

[104] 33 U.S.C. § 1365(b).

[105] Nicholas Z. Muller & Valerie J. Karplus, *Powering Environmentally Sustainable AI*, CARNEGIE MELLON UNIV. (July 16, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/powering-environmentally-sustainable-ai.

[106] Tom Kertscher & Paul Jiefer, *As energy-hungry data centers loom, Wisconsin ratepayers owe $1 billion on shuttered power plants*, WISCONSIN WATCH (Dec. 22, 2025), https://wisconsinwatch.org/2025/12/wisconsin-stranded-assets-power-plants-energy-data-centers-ratepayers-utility-cost/.

[107] Tom Kertscher & Paul Jiefer, *As energy-hungry data centers loom, Wisconsin ratepayers owe $1 billion on shuttered power plants*, WISCONSIN WATCH (Dec. 22, 2025), https://wisconsinwatch.org/2025/12/wisconsin-stranded-assets-power-plants-energy-data-centers-ratepayers-utility-cost/.

[108] Tom Kertscher & Paul Jiefer, *As energy-hungry data centers loom, Wisconsin ratepayers owe $1 billion on shuttered power plants*, WISCONSIN WATCH (Dec. 22, 2025), https://wisconsinwatch.org/2025/12/wisconsin-stranded-assets-power-plants-energy-data-centers-ratepayers-utility-cost/.

[109] S.B. 763, Reg. Sess. § 32707a (Mich.) (proposed); H.B. 1002, 2025 Gen. Assemb. § 62-159.3 (N.C.) (proposed); S.B. 34, 2025-2026 Reg. Sess. § 46-2-25.4 (Ga.) (proposed).

[110] S.B. 763, Reg. Sess. § 32707a (Mich.) (proposed); H.B. 1002, 2025 Gen. Assemb. § 62-159.3 (N.C.) (proposed); S.B. 34, 2025-2026 Reg. Sess. § 46-2-25.4 (Ga.) (proposed).

[111] ORS § 757.295(b)(A)(ii), H.B. 3546, 83rd Legis. Assemb., Reg. Sess. (Or. 2025) (enacted).

[112] ORS § 757.292, H.B. 3546, 83rd Legis. Assemb., Reg. Sess. (Or. 2025) (enacted).

[113] Minn. Stat. § 216B.1622, Subdiv. 2(3) (2025) (enacted).

[114] The electric utility rates and stranded asset mitigation model legislation is inspired by elements found in the following laws: ORS §§ 757.292, 757.295, 757.230, 757.607, 757.895, H.B. 3546, 83rd Legis. Assemb., Reg. Sess. (Or. 2025) (enacted); Minn. Stat. § 216B.1622, Subdiv. 2(3) (2025) (enacted); S.B. 763, Reg. Sess. § 32707a (Mich.) (proposed); H.B. 1002, 2025 Gen. Assemb. § 62-159.3 (N.C.) (proposed); S.B. 34, 2025-2026 Reg. Sess. § 46-2-25.4 (Ga.) (proposed).

[115] AMERICAN WATER WORKS ASSOCIATION, *Cooling the Cloud: Water Utilities in a Data-Driven World*, 14 (Oct. 2025).

[116] CHRIS WOODCOCK, RICK GIARDINA & TODD CRISTIANO, PRINCIPLES OF WATER RATES, FEES, AND CHARGES, Chapters III.2, VII.1, VII.2, (7th ed. 2017), https://library.knu.edu.af/opac/temp/11550.pdf.

[117] AMERICAN WATER WORKS ASSOCIATION, *Cooling the Cloud: Water Utilities in a Data-Driven World*, 14 (Oct. 2025).

[118] Tex. Util. Code § 35.0561(f), S.B. 6, Legis., 89th Sess. (Tex. 2025) (enacted); ORS §§ 757.292, 757.295, 757.230, 757.607, 757.895, H.B. 3546, 83rd Legis. Assemb., Reg. Sess. (Or. 2025) (enacted).

[119] The water utility rates model legislation is inspired by elements found in the following laws related to electricity rates: Tex. Util. Code § 35.004, S.B. 6, Legis., 89th Sess. (Tex. 2025) (enacted); ORS §§ 757.292, 757.295, 757.230, 757.607, 757.895, H.B. 3546, 83rd Legis. Assemb., Reg. Sess. (Or. 2025) (enacted).

[120] Nicholas Z. Muller & Valerie J. Karplus, *Powering Environmentally Sustainable AI*, CARNEGIE MELLON UNIV. (July 16, 2025), https://www.cmu.edu/work-that-matters/energy-innovation/powering-environmentally-sustainable-ai.

[121] Stefan Modrick, *Datacenters balancing sustainability goals with accelerating AI demand*, S&P GLOBAL (Feb. 20, 2025), https://www.spglobal.com/market-intelligence/en/news-insights/articles/2025/2/datacenters-balancing-sustainability-goals-with-accelerating-ai-demand-87369832.

[122] Arman Shehabi et al., 2024 United States Data Center Energy Usage Report, LAWRENCE BERKELEY NAT'L LAB'Y, 55-57 (Dec. 2024), https://eta-publications.lbl.gov/sites/default/files/2024-12/lbnl-2024-united-states-data-center-energy-usage-report.pdf.

[123] Michael Blackhurst et al., *Data Center Growth Could Increase Electricity Bills 8% Nationally and as Much as 25% in Some Regional Markets*, CARNEGIE MELLON UNIV. (July 26, 2025), https://www.cmu.edu/work-that-

matters/energy-innovation/data-center-growth-could-increase-electricity-bills; Cutler Cleveland, *What methods of electricity generation use the most water?*, BOSTON UNIV. (July 28, 2025), https://visualizingenergy.org/what-methods-of-electricity-generation-use-the-most-water/.
[124] S. 680, 222nd Legis. § 3 (N.J.) (proposed); S.B. 729, 2025-2026 Reg. Sess. § 238.40 (Wis.) (proposed).
[125] S. 680, 222nd Legis. § 3 (N.J.) (proposed).
[126] S.B. 729, 2025-2026 Reg. Sess. § 238.40 (Wis.) (proposed).
[127] Clean Energy Coalition, *Data Center Accountability Framework*, https://cleaneconomywi.com/wp-content/uploads/2026/01/CECW-Data-Center-Accountability-Framework.pdf (last visited Feb. 25, 2026).
[128] Clean Energy Coalition, *Data Center Accountability Framework*, https://cleaneconomywi.com/wp-content/uploads/2026/01/CECW-Data-Center-Accountability-Framework.pdf (last visited Feb. 25, 2026).
[129] The renewable energy requirement model legislation is inspired by elements found in the following laws: S. 680, 222nd Legis. § 3 (N.J.) (proposed); S.B. 729, 2025-2026 Reg. Sess. § 238.40 (Wis.) (proposed); Clean Energy Coalition, *Data Center Accountability Framework*, https://cleaneconomywi.com/wp-content/uploads/2026/01/CECW-Data-Center-Accountability-Framework.pdf (last visited Feb. 25, 2026).
[130] The Alliance for the Great Lakes reports that data centers typically do not require potable water for cooling and urge that AI-data centers turn to reclaimed water for cooling their facilities. Helena Volzer, *A Finite Resource*, ALLIANCE FOR THE GREAT LAKES 45 (Aug. 2025), https://greatlakes.org/wp-content/uploads/2025/08/AGL_WaterUse_Report_Aug2025_Final.pdf.
[131] *See, e.g.,* A.B. 840, 2025-2026 Legis. § 299.70(2) (Wis.) (proposed); H.B. 1030, 75th Gen. Assemb. § 24-48.5-806(1)(e) (Colo.) (proposed).
[132] The Alliance for the Great Lakes reports that data centers typically do not require potable water for cooling and urge that AI-data centers turn to reclaimed water for cooling their facilities. Helena Volzer, *A Finite Resource*, ALLIANCE FOR THE GREAT LAKES 45 (Aug. 2025), https://greatlakes.org/wp-content/uploads/2025/08/AGL_WaterUse_Report_Aug2025_Final.pdf.
[133] Great Lakes Commission, *Non-Potable Water Reuse Development in the Great Lakes Basin* Resolution (adopted Oct. 30, 2025), https://www.glc.org/wp-content/uploads/FINAL-GLC-Resolution-Water-Reuse-Development-20251030.pdf.
[134] Helena Volzer, *A Finite Resource*, ALLIANCE FOR THE GREAT LAKES 45 (Aug. 2025), https://greatlakes.org/wp-content/uploads/2025/08/AGL_WaterUse_Report_Aug2025_Final.pdf.
[135] The water conservation requirement model legislation is inspired by the following policy recommendations: Helena Volzer, *A Finite Resource*, ALLIANCE FOR THE GREAT LAKES 45 (Aug. 2025), https://greatlakes.org/wp-content/uploads/2025/08/AGL_WaterUse_Report_Aug2025_Final.pdf; Great Lakes Commission, *Non-Potable Water Reuse Development in the Great Lakes Basin* Resolution (adopted Oct. 30, 2025), https://www.glc.org/wp-content/uploads/FINAL-GLC-Resolution-Water-Reuse-Development-20251030.pdf.
[136] Helena Volzer, *A Finite Resource*, ALLIANCE FOR THE GREAT LAKES 40 (Aug. 2025), https://greatlakes.org/wp-content/uploads/2025/08/AGL_WaterUse_Report_Aug2025_Final.pdf.
[137] Minn. Stat. § 216B.241, Subdiv. 2(a) (2025) (enacted).
[138] Minn. Stat. § 216B.72 (a)–(c) (2025) (enacted).
[139] The conservation fund model legislation is inspired by elements found in the following laws: Minn. Stat. §§ 216B.72, 216B.241 (2025) (enacted); S.B., 729, 2025-2026 Reg. Sess. § 20.505(1)(gj) (Wis.) (proposed); S.B. 393, Reg. Sess. §§ 10.1-2143, 58.1-1750 (Va.) (proposed).