



2013 ASSEMBLY BILL 785

February 19, 2014 - Introduced by Representatives ZAMARRIPA, ZEPNICK, BARNES, BERCEAU, BEWLEY, GOYKE, HESSELBEIN, HINTZ, HULSEY, JOHNSON, KESSLER, MASON, MILROY, OHNSTAD, PASCH, SARGENT, C. TAYLOR, WRIGHT, YOUNG and RIEMER, cosponsored by Senators L. TAYLOR, CARPENTER, HARRIS, LEHMAN and RISSER. Referred to Committee on Colleges and Universities.

- 1 **AN ACT to create** 36.27 (2) (cr) and 38.22 (6) (e) of the statutes; **relating to:**
2 University of Wisconsin and technical college nonresident tuition exemptions.

Analysis by the Legislative Reference Bureau

Current law allows the Board of Regents of the University of Wisconsin (UW) System to charge different tuition rates to resident and nonresident students. Current law also includes nonresident tuition exemptions, under which certain nonresident students pay resident tuition rates. Under former law, one of the exemptions applied to an alien who is not a legal permanent resident of the United States and who: 1) graduated from a Wisconsin high school or received a declaration of equivalency of high school graduation from Wisconsin; 2) was continuously present in Wisconsin for at least three years following the first day of attending a Wisconsin high school or immediately preceding receipt of a declaration of equivalency of high school graduation; and 3) enrolls in a UW System institution and provides the institution with an affidavit stating that he or she has filed or will file an application for permanent residency with U.S. Citizenship and Immigration Services as soon as the person is eligible to do so. 2011 Wisconsin Act 32 eliminated the foregoing exemption. This bill restores the exemption.

Former law also provided that an alien described above was considered a resident of this state for purposes of admission to and payment of fees at a technical college. 2011 Wisconsin Act 32 also eliminated the foregoing provision. This bill restores the provision.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 36.27 (2) (cr) of the statutes is created to read:

2 36.27 (2) (cr) A person who is a citizen of a country other than the United States
3 is entitled to the exemption under par. (a) if that person meets all of the following
4 requirements:

5 1. The person graduated from a high school in this state or received a
6 declaration of equivalency of high school graduation from this state.

7 2. The person was continuously present in this state for at least 3 years
8 following the first day of attending a high school in this state or immediately
9 preceding receipt of a declaration of equivalency of high school graduation.

10 3. The person enrolls in an institution and provides that institution with proof
11 that the person has filed or will file an application for a permanent resident visa with
12 U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

13 **SECTION 2.** 38.22 (6) (e) of the statutes is created to read:

14 38.22 (6) (e) Any person who is a citizen of a country other than the United
15 States if that person meets all of the following requirements:

16 1. The person graduated from a high school in this state or received a
17 declaration of equivalency of high school graduation from this state.

18 2. The person was continuously present in this state for at least 3 years
19 following the first day of attending a high school in this state or immediately
20 preceding receipt of a declaration of equivalency of high school graduation.

