



State of Wisconsin
2005 - 2006 LEGISLATURE

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ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2005 ASSEMBLY BILL 87

May 24, 2005 - Offered by Representative KRAWCZYK.

- 1 **AN ACT** *to create* 36.27 (2) (b) 5. of the statutes; **relating to:** nonresident tuition
2 exemption for dependents of certain former members of the U.S. armed forces
3 or forces incorporated in the U.S. armed forces.

Analysis by the Legislative Reference Bureau

Under current law, a student enrolled in the University of Wisconsin System is exempt from paying nonresident tuition if the student is an adult dependent, for federal tax purposes, of his or her parents and one or both of the parents have been bona fide Wisconsin residents for at least 12 months before the student enrolled.

This bill grants a nonresident tuition exemption to dependents of former members of the U.S. armed forces or forces incorporated in the U.S. armed forces, including national guard members and reservists called into active duty. A dependent is eligible if the armed forces member was a Wisconsin resident at the time he or she entered into the armed forces, served under honorable conditions or died while on active duty, and the family or family member returned to live in Wisconsin within 12 months after the member's discharge or death.

For further information see the **state** 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:

SECTION 1. 36.27 (2) (b) 5. of the statutes is created to read:

36.27 (2) (b) 5. The spouse, surviving spouse, child of any age if incapable of self-support because of a mental or physical disability, child under the age of 26 if in full attendance at an institution, or child under the age of 18, of a person who entered into the U.S. armed forces or forces incorporated in the U.S. armed forces while the person was a resident of this state, is entitled to the exemption under par.

(a) if any of the following conditions are met:

- a. The armed forces member served on active duty under honorable conditions, other than active duty for training purposes, returned to live in this state within 12 months after his or her discharge from that service, and has continued living in this state at the time the spouse or child registers at an institution.

b. The armed forces member died while serving on active duty and the surviving spouse or child returned to live in this state within 12 months after the armed forces member's death and has continued living in this state at the time the surviving spouse or child registers at an institution.

SECTION 2. Initial applicability.

(1) This act first applies to persons who register for classes in the academic semester that commences after the effective date of this subsection.

(END)