



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-1677/P1
MDK:cdc

DOA:.....Mott, BB0223 - Nonresident tuition exemption for undocumented individuals

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; **relating to:** the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

This bill creates a nonresident tuition exemption for certain technical college and UW System students.

Current law allows the Board of Regents of the 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. This bill creates an additional exemption for 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.

The bill also provides that an alien described above is considered a resident of this state for purposes of admission to and payment of fees at a technical college.

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:

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

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

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

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

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

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

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

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

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

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

SECTION 9342. Initial applicability; Technical College System.

(1) NONRESIDENT TUITION EXEMPTION. The treatment of s. 38.22 (6) (e) first applies to persons who enroll for the semester or session following the effective date of this subsection.

SECTION 9347. Initial applicability; University of Wisconsin System.

(1) NONRESIDENT TUITION EXEMPTION. The treatment of s. 36.27 (2) (cr) first applies to persons who enroll for the semester or session following the effective date of this subsection.

(END)