



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-5852/1  
ARG&JAM:km/eg/an/cs

## 2021 ASSEMBLY BILL 947

February 2, 2022 - Introduced by Representatives MURPHY, ARMSTRONG, GUNDRUM and ALLEN, cosponsored by Senators ROTH and DARLING. Referred to Committee on State Affairs.

1     **AN ACT to renumber and amend** 36.65 (1); and **to create** 36.11 (61), 36.11 (62),  
2           36.11 (63), 36.65 (1) (b) and 36.65 (2) (j) of the statutes; **relating to:** prohibiting  
3           foreign missions of China at University of Wisconsin institutions and  
4           University of Wisconsin System involvement with Communist Chinese  
5           recruitment or propaganda programs and requiring the University of  
6           Wisconsin System to report funding received from foreign missions of China.

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### ***Analysis by the Legislative Reference Bureau***

This bill requires the University of Wisconsin System to do all of the following:

1. Ensure that no designated foreign mission of China is established at or recognized by a UW institution after the bill's effective date. A "designated foreign mission of China" is defined as an entity or operation designated by the federal Office of Foreign Missions as a foreign mission of the People's Republic of China within the United States, including the Confucius Institute U.S. Center, the Asia Society Chinese Language Partner Network, and the Center for Language Exchange and Cooperation. If a designated foreign mission of China has already been established at or recognized by a UW institution on the bill's effective date, the UW System must develop and implement a plan to ensure that the designated foreign mission of China does not remain established at or recognized by the institution after approximately one year from the bill's effective date.

2. Annually identify the amount and source of funding received from a designated foreign mission of China. This information must be included in an

**ASSEMBLY BILL 947**

annual report that current law requires to be submitted to the governor and the legislature. With respect to UW-Madison, the report must be submitted by the UW-Madison rather than the UW System.

3. Identify, end, and provide a report regarding any “cultural exchange” programs the UW System has that are consistent with those identified by the U.S. State Department as Chinese Communist Party propaganda tools.

The bill also prohibits UW System employees and students from participating in Communist Chinese recruitment programs. The bill defines “Communist Chinese recruitment program” as a program established by the government of China, including the Thousand Talents Program, the Overseas High-Level Talent Recruitment Program, and the National High-End Foreign Experts Recruitment Plan, to recruit or partner with scientists, scholars, and other experts by offering them benefits or privileges, such as concurrent or short-term appointments at Chinese institutions or Chinese research laboratories. Under the bill, participation means entering into a written agreement with a Chinese institution, Chinese research laboratory, or the government of China that confers upon a person benefits or privileges associated with, or membership in, a Communist Chinese recruitment program. The definition of “government of China” includes an instrumentality of the People’s Republic of China or of the Communist Party of China. The bill creates certain disclosure requirements and requires any UW System employee or student who is participating in a Communist Chinese recruitment program on the effective date of the bill to terminate his or her participation within six months after the bill’s effective date, subject to an extension of no more than six additional months if certain requirements are met.

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

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

1           **SECTION 1.** 36.11 (61) of the statutes is created to read:  
2           36.11 (61) DESIGNATED FOREIGN MISSIONS. (a) In this subsection, “designated  
3 foreign mission of China” means any entity or operation designated by the office of  
4 foreign missions in the federal department of state as a foreign mission, as defined  
5 in 22 USC 4302 (a), of the People’s Republic of China within the United States,  
6 including the Confucius Institute U.S. Center, the Asia Society Chinese Language  
7 Partner Network, and the Center for Language Exchange and Cooperation.

**ASSEMBLY BILL 947**

1 (b) Subject to par. (c), the board shall ensure that no designated foreign mission  
2 of China is established at or recognized by any institution after the effective date of  
3 this paragraph .... [LRB inserts date].

4 (c) If any designated foreign mission of China has been and continues to be  
5 established at or recognized by any institution on the effective date of this paragraph  
6 .... [LRB inserts date], the board shall develop and implement a plan to ensure that  
7 the designated foreign mission of China does not remain established at or recognized  
8 by the institution after the first day of the 13th month beginning after the effective  
9 date of this paragraph .... [LRB inserts date].

10 **SECTION 2.** 36.11 (62) of the statutes is created to read:

11 36.11 (62) PROHIBITION OF CHINESE COMMUNIST PARTY PROPAGANDA PROGRAMS.  
12 The board shall identify, report on, and immediately end any cultural exchange  
13 programs consistent with those identified by the federal department of state as  
14 Chinese Communist Party propaganda tools.

15 **SECTION 3.** 36.11 (63) of the statutes is created to read:

16 36.11 (63) COMMUNIST CHINESE RECRUITMENT PROGRAMS. (a) In this subsection:

17 1. "Communist Chinese recruitment program" means a program established  
18 by the government of China, including the Thousand Talents Program, the Overseas  
19 High-Level Talent Recruitment Program, and the National High-End Foreign  
20 Experts Recruitment Plan, to recruit or partner with scientists, scholars, and other  
21 experts by offering them benefits or privileges, such as concurrent or short-term  
22 appointments at Chinese institutions or Chinese research laboratories.

23 2. "Government of China" means any of the following:

24 a. The Communist Party of China.

**ASSEMBLY BILL 947****SECTION 3**

1           b. The People’s Republic of China or any governmental unit of the People’s  
2           Republic of China or of a province, region, or other political subdivision of the People’s  
3           Republic of China.

4           c. Any instrumentality of the People’s Republic of China or of the Communist  
5           Party of China.

6           3. “Participate” means a person’s entering into a written agreement with a  
7           Chinese institution, Chinese research laboratory, or the government of China that  
8           confers upon the person benefits or privileges associated with, or membership in, a  
9           Communist Chinese recruitment program.

10          (b) Subject to par. (c), after the effective date of this paragraph .... [LRB inserts  
11          date], no system employee or student may participate in a Communist Chinese  
12          recruitment program.

13          (c) 1. Except as provided in subd. 2., not later than 6 months after the effective  
14          date of this subdivision .... [LRB inserts date], any system employee or student who  
15          is participating in a Communist Chinese recruitment program on the effective date  
16          of this subdivision .... [LRB inserts date], shall terminate the employee’s or student’s  
17          participation in the Communist Chinese recruitment program.

18          2. The chancellor of an institution may provide an extension of the deadline  
19          under subd. 1. for no more than 6 months for employees assigned to the institution  
20          and students enrolled in the institution to terminate participation in the Communist  
21          Chinese recruitment program if the chancellor believes that these employees and  
22          students are attempting to comply with the termination requirement under subd. 1.  
23          and the chancellor is confident that participation in the Communist Chinese  
24          recruitment program for the period of the extension will not pose a risk to research  
25          or reputational interests of the system.

**ASSEMBLY BILL 947**

1           **SECTION 4.** 36.65 (1) of the statutes is renumbered 36.65 (1) (intro.) and  
2 amended to read:

3           **36.65 (1) DEFINITION DEFINITIONS.** (intro.) In this section, ~~“chancellor”~~:

4           (a) “Chancellor” means the chancellor of the University of Wisconsin-Madison.

5           **SECTION 5.** 36.65 (1) (b) of the statutes is created to read:

6           **36.65 (1) (b)** “Designated foreign mission of China” has the meaning given in  
7 s. 36.11 (61) (a).

8           **SECTION 6.** 36.65 (2) (j) of the statutes is created to read:

9           **36.65 (2) (j)** *Funding from certain designated foreign missions.* The amount  
10 and source of funding received from any designated foreign mission of China.

11           **SECTION 7. Nonstatutory provisions.**

12           (1) **REPORT IDENTIFYING CHINESE PROPAGANDA PROGRAMS.** No later than the first  
13 day of the 7th month beginning after the effective date of this subsection or the  
14 beginning of the next academic year after the effective date of this subsection,  
15 whichever is earlier, the Board of Regents of the University of Wisconsin System  
16 shall submit a report to the chief clerk of each house of the legislature for distribution  
17 to the appropriate standing committees under s. 13.172 (3). The report shall identify  
18 any institution program consistent with those identified by the U.S. state  
19 department as Chinese Communist Party propaganda tools and the methods that  
20 the board has used to comply with s. 36.11 (62). If the board concludes that no  
21 institution has, or has had, a program consistent with that described in s. 36.11 (62),  
22 the report shall state this.

23           (2) **COMMUNIST CHINESE RECRUITMENT PROGRAMS.**

24           (a) In this subsection:

**ASSEMBLY BILL 947****SECTION 7**

1           1. “Communist Chinese recruitment program” has the meaning given in s.  
2 36.11 (63) (a) 1.

3           2. “Institution” has the meaning given in s. 36.05 (9), and includes any branch  
4 campus of the institution.

5           3. “Participate” has the meaning given in s. 36.11 (63) (a) 3.

6           4. “System” has the meaning given in s. 36.05 (12).

7           (b) Not later than 4 weeks after the effective date of this paragraph, the  
8 chancellor of each institution shall inform all employees assigned to the institution  
9 and students enrolled in the institution of the prohibition under s. 36.11 (63) (b) and  
10 shall require that, not later than 8 weeks after the effective date of this paragraph,  
11 these employees and students disclose to the chancellor, if applicable, the employee’s  
12 or student’s participation in any Communist Chinese recruitment program and  
13 provide a complete copy of any related contract.

14           (c) Not later than 8 weeks after the effective date of this paragraph, any system  
15 employee or student who is participating in a Communist Chinese recruitment  
16 program on the effective date of this paragraph shall disclose to the chancellor of the  
17 institution to which the employee is assigned or the student is enrolled the  
18 employee’s or student’s participation in the Communist Chinese recruitment  
19 program and provide a complete copy of any related contract.

20           **SECTION 8. Initial applicability.**

21           (1) REPORT ON FUNDING RECEIVED FROM DESIGNATED FOREIGN MISSIONS OF CHINA.  
22 The treatment of s. 36.65 (2) (j) first applies to a report submitted under s. 36.65 (2)  
23 at least 30 days after the effective date of this subsection.

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(END)