



2009 ASSEMBLY BILL 781

February 26, 2010 – Introduced by Representatives HILGENBERG, TURNER, HUBLER, SINICKI, ZIEGELBAUER, LOTHIAN, GARTHWAITE, POPE-ROBERTS, BERCEAU, SMITH, SOLETSKI, PASCH and YOUNG, cosponsored by Senators LEHMAN, HOLPERIN and TAYLOR. Referred to Committee on Veterans and Military Affairs.

1 **AN ACT to amend** 36.27 (3n) (b) (intro.), 36.27 (3n) (bg), 36.27 (3p) (b), 38.24 (7)
2 (b) (intro.), 38.24 (7) (bg) and 38.24 (8) (b); and **to create** 36.27 (3n) (bd), 36.27
3 (3p) (bd), 38.24 (7) (bd) and 38.24 (8) (bd) of the statutes; **relating to:** remission
4 of fees for veterans and their dependents enrolled in the University of
5 Wisconsin System or in a technical college.

Analysis by the Legislative Reference Bureau

Current law requires the Board of Regents of the UW System (Board of Regents) and each technical college district board (district board) to grant remission of academic fees to certain veterans who are residents of this state for veterans benefits purposes and to the spouse, unremarried surviving spouse, and children (dependents) of a veteran who was a resident of this state at the time of entry into service and who either: 1) while a resident of this state, died on active duty, died as the result of a service-connected disability, or died in the line of duty while on active or inactive duty for training purposes; or 2) incurred at least a 30 percent service-connected disability rating. In the case of a veteran enrolled in the UW System, “academic fees” includes nonresident tuition.

Current law requires the Board of Regents and each district board to grant full remission of academic fees charged for up to 128 credits or eight semesters, whichever is longer, less the amount of any academic fees paid under the federal Reserve Officer Training Corps (ROTC) Program, the federal Veterans Vocational Rehabilitation Act, or the federal Post-9/11 Veterans Educational Assistance Act of 2008, commonly referred to as the “New GI Bill.”

ASSEMBLY BILL 781

This bill requires the Board of Regents and each district board to grant full remission of academic fees charged for 128 credits or eight semesters, whichever is longer, less 50 percent of the number of credits or semesters for which the student received educational assistance under the federal ROTC Program, the federal Veterans Vocational Rehabilitation Act, or the federal New GI Bill. As such, if a student received 128 credits or eight semesters of educational assistance under those federal programs, the bill permits the student to receive full remission of academic fees charged for 64 credits or four semesters, whichever is longer.

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:

1 **SECTION 1.** 36.27 (3n) (b) (intro.) of the statutes, as affected by 2009 Wisconsin
2 Act 28, is amended to read:

3 36.27 **(3n)** (b) (intro.) Except as provided in subds. 1. to 3. and ~~par.~~ pars. (bd)
4 and (bg), the board shall grant full remission of academic fees and segregated fees
5 ~~for 128 credits or 8 semesters, whichever is longer, less the number of credits or~~
6 ~~semesters for which the person received remission of fees under s. 38.24 (7) and~~
7 charged for a semester, less the amount of any academic fees or segregated fees for
8 that semester paid under 38 USC 3319, to any resident student who is also any of
9 the following:

10 **SECTION 2.** 36.27 (3n) (bd) of the statutes is created to read:

11 36.27 **(3n)** (bd) The board shall grant remission of academic fees and
12 segregated fees under par. (b) for 128 credits or 8 semesters, whichever is longer, less
13 the number of credits or semesters for which the resident student received remission
14 of fees under s. 38.24 (7) and less 50 percent of the number of credits or semesters
15 for which the resident student received educational assistance under 38 USC 3319.

16 **SECTION 3.** 36.27 (3n) (bg) of the statutes, as created by 2009 Wisconsin Act 28,
17 is amended to read:

ASSEMBLY BILL 781

1 36.27 (3n) (bg) Before the Board of Regents may grant a remission of academic
2 fees and segregated fees under par. (b), the Board of Regents shall require the
3 resident student to apply to the payment of those fees all educational assistance to
4 which the resident student is entitled under 38 USC 3319. This requirement applies
5 notwithstanding the fact that the resident student may be entitled to educational
6 assistance under 10 USC 16132a, 10 USC 16163a, 38 USC 3001 to 3036, or 38 USC
7 3500 to 3566 as well as under 38 USC 3319, unless the resident student has 12
8 months or less of eligibility remaining for educational assistance under 10 USC
9 16132a, 10 USC 16163a, 38 USC 3001 to 3036, or 38 USC 3500 to 3566.

10 **SECTION 4.** 36.27 (3p) (b) of the statutes, as affected by 2009 Wisconsin Act 28,
11 is amended to read:

12 36.27 (3p) (b) Except as provided in ~~par. (bd) and~~ pars. (bd) and (bg), the board shall
13 grant full remission of nonresident tuition, academic fees, and segregated fees
14 charged for ~~128 credits or 8 semesters, whichever is longer, less the number of credits~~
15 ~~or semesters for which the person received remission of fees under s. 38.24 (8) and~~
16 a semester, less the amount of any academic fees or segregated fees for that semester
17 paid under 10 USC 2107 (c), 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student
18 who is a veteran.

19 **SECTION 5.** 36.27 (3p) (bd) of the statutes is created to read:

20 36.27 (3p) (bd) The board shall grant remission of nonresident tuition,
21 academic fees, and segregated fees under par. (b) for 128 credits or 8 semesters,
22 whichever is longer, less the number of credits or semesters for which the student
23 received remission of fees under s. 38.24 (8) and less 50 percent of the number of
24 credits or semesters for which the student received educational assistance under 10
25 USC 2107 (c), 38 USC 3104 (a) (7) (A), or 38 USC 3313.

ASSEMBLY BILL 781**SECTION 6**

1 **SECTION 6.** 38.24 (7) (b) (intro.) of the statutes, as affected by 2009 Wisconsin
2 Act 28, is amended to read:

3 38.24 **(7)** (b) (intro.) Except as provided in subds. 1. to 3. and ~~par. pars. (bd) and~~
4 (bg), the district board shall grant full remission of fees under sub. (1m) (a) to (c) ~~for~~
5 ~~128 credits or 8 semesters, whichever is longer, less the number of credits or~~
6 ~~semesters for which the person received remission of fees from any other district~~
7 ~~board under this subsection and from the Board of Regents under s. 36.27 (3n) (b) and~~
8 ~~charged for a semester, less the amount of any fees for that semester paid under 38~~
9 USC 3319, to any resident student who is also any of the following:

10 **SECTION 7.** 38.24 (7) (bd) of the statutes is created to read:

11 38.24 **(7)** (bd) The district board shall grant remission of fees under par. (b) for
12 128 credits or 8 semesters, whichever is longer, less the number of credits or
13 semesters for which the resident student received remission of fees from any other
14 district board under this subsection and from the Board of Regents under s. 36.27
15 (3n) and less 50 percent of the number of credits or semesters for which the resident
16 student received educational assistance under 38 USC 3319.

17 **SECTION 8.** 38.24 (7) (bg) of the statutes, as created by 2009 Wisconsin Act 28,
18 is amended to read:

19 38.24 **(7)** (bg) Before the district board may grant a remission of fees under par.
20 (b), the district board shall require the resident student to apply to the payment of
21 those fees all educational assistance to which the resident student is entitled under
22 38 USC 3319. This requirement applies notwithstanding the fact that the resident
23 student may be entitled to educational assistance under 10 USC 16132a, 10 USC
24 16163a, 38 USC 3001 to 3036, or 38 USC 3500 to 3566 as well as under 38 USC 3319,
25 unless the resident student has 12 months or less of eligibility remaining for

ASSEMBLY BILL 781

1 educational assistance under 10 USC 16132a, 10 USC 16163a, 38 USC 3001 to 3036,
2 or 38 USC 3500 to 3566.

3 **SECTION 9.** 38.24 (8) (b) of the statutes, as affected by 2009 Wisconsin Act 28,
4 is amended to read:

5 38.24 (8) (b) Except as provided in ~~par. (bd) and~~ (bg), the district board
6 shall grant full remission of the fees charged under sub. (1m) (a) to (c) ~~for 128 credits~~
7 ~~or 8 semesters, whichever is longer, less the number of credits or semesters for which~~
8 ~~the person received remission of fees from any other district board under this~~
9 ~~subsection and from the Board of Regents under s. 38.27 (3p) and~~ charged for a
10 semester, less the amount of any fees for that semester paid under 10 USC 2107 (c),
11 38 USC 3104 (a) (7) (A), or 38 USC 3313, to any student who is a veteran.

12 **SECTION 10.** 38.24 (8) (bd) of the statutes is created to read:

13 38.24 (8) (bd) The district board shall grant remission of fees under par. (b) for
14 128 credits or 8 semesters, whichever is longer, less the number of credits or
15 semesters for which the student received remission of fees from any other district
16 board under this subsection and from the Board of Regents under s. 36.27 (3p) and
17 less 50 percent of the number of credits or semesters for which the student received
18 educational assistance under 10 USC 2107 (c), 38 USC 3104 (a) (7) (A), or 38 USC
19 3313.

20 **SECTION 11. Initial applicability.**

21 (1) FEE REMISSION. This act first applies to a student who is enrolled in the
22 spring 2010 semester.

23 **SECTION 12. Effective date.**

24 (1) FEE REMISSION. This act takes effect retroactively on January 1, 2010.

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(END)