



State of Wisconsin
2023 - 2024 LEGISLATURE

LRB-0312/1
ARG:skw

2023 ASSEMBLY BILL 12

February 7, 2023 - Introduced by Representatives KITCHENS, KURTZ, STEFFEN, NOVAK, MYERS, SPIROS, ARMSTRONG, ORTIZ-VELEZ, ROZAR, MACCO, MURPHY, GREEN, MURSAU, EDMING, DUCHOW and SHANKLAND, cosponsored by Senators WIMBERGER, BALLWEG, COWLES and TAYLOR. Referred to Committee on Colleges and Universities.

1 **AN ACT to amend** 36.27 (2) (b) 4., 36.27 (3n) (a) 1m. a., 36.27 (3n) (a) 1m. b., 36.27
2 (3n) (bd), 36.27 (3p) (a) 1r. (intro.), 38.24 (7) (a) 1m. a., 38.24 (7) (a) 1m. b., 38.24
3 (7) (bd), 38.24 (8) (a) 1r. (intro.) and 39.49 (2) (a) 2. of the statutes; **relating to:**
4 tuition and fee remission or grants for certain veterans and their dependents
5 enrolled in the University of Wisconsin System, a technical college, or a private
6 nonprofit institution of higher education; and the University of Wisconsin
7 System nonresident tuition exemption for certain veterans.

Analysis by the Legislative Reference Bureau

This bill modifies the residency requirement for the tuition and fee remission program for certain veterans and their spouses and children enrolled in University of Wisconsin System institutions and technical colleges. The bill makes a similar change with respect to grant eligibility for certain veterans and their spouses and children enrolled in private nonprofit colleges. The bill also modifies the UW System nonresident tuition exemption for certain veterans.

Under current law, if certain criteria are met, veterans and their spouses and 17- to 25-year-old children are eligible for full remission of tuition and fees at UW System schools and technical colleges for up to eight semesters or 128 credits, whichever is longer. Under the veterans fee remission program, the veteran must be a resident of this state when he or she entered military service or be a resident of

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this state for at least five consecutive years immediately before the veteran registers at a UW System school or technical college. Under the fee remission program for the spouse or child of a veteran who suffered service-connected death or disability, the veteran must have been a resident of this state when he or she entered military service or one of the following must apply: 1) if the veteran, 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, the veteran must have resided in this state for at least five consecutive years while an adult, or 2) if the veteran received at least a 30 percent service-connected disability rating, the veteran must have resided in this state for at least five consecutive years immediately before the veteran's spouse or child registers at a UW System school or technical college. In addition, if a veteran was not a resident of this state when he or she entered military service, the veteran's spouse or child is eligible for tuition and fee remission only if the spouse or child has resided in this state for at least five consecutive years immediately before the spouse's or child's enrollment in a UW System school or technical college.

The bill lowers from five years to three years the durational residency requirement for veterans and their spouses and children under the tuition and fee remission program under circumstances in which the veteran was not a resident of this state when he or she entered military service.

Under current law, the Higher Educational Aids Board administers a grant program under which HEAB makes grants to private nonprofit colleges to offset tuition charged to enrolled veterans and their spouses and children who, if they had been enrolled in a UW System institution or technical college, would qualify for tuition remission as described above.

The bill also lowers from five years to three years the durational residency requirement for veterans and their spouses and children for purposes of this HEAB grant program.

Under current law, a person generally must be a Wisconsin resident for at least 12 months prior to registering at a UW System institution in order to be exempt from paying nonresident tuition. Current law also includes nonresident tuition exemptions, under which certain nonresident students pay resident tuition rates. Under one exemption, a student is eligible for resident tuition if the student is a veteran, is a resident of and living in Wisconsin at the time of registering at a UW institution, and was a Wisconsin resident at the time of entry into active duty.

The bill eliminates the requirement that the student had been a Wisconsin resident at the time of entry into active duty as a condition of eligibility for the nonresident tuition exemption for veterans.

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:

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1 **SECTION 1.** 36.27 (2) (b) 4. of the statutes is amended to read:

2 36.27 (2) (b) 4. A person who ~~was a resident of this state at the time of entry~~
3 ~~into active duty, who~~ is a resident of and living in this state at the time of registering
4 at an institution, and who is a veteran, as defined in s. 45.01 (12), is entitled to the
5 exemption under par. (a).

6 **SECTION 2.** 36.27 (3n) (a) 1m. a. of the statutes is amended to read:

7 36.27 (3n) (a) 1m. a. A person who has served on active duty under honorable
8 conditions in the U.S. armed forces, in forces incorporated as part of the U.S. armed
9 forces, in the national guard, or in a reserve component of the U.S. armed forces; who
10 was a resident of this state at the time of entry into that service or resided in this state
11 for at least ~~5~~ 3 consecutive years after the person attained the age of 18; and who,
12 while a resident of this state, died on active duty, died as the result of a
13 service-connected disability, or died in the line of duty while on active or inactive
14 duty for training purposes.

15 **SECTION 3.** 36.27 (3n) (a) 1m. b. of the statutes is amended to read:

16 36.27 (3n) (a) 1m. b. A person who was a resident of this state at the time of
17 entry into service described in subd. 1m. a. or resided in this state for at least ~~5~~ 3
18 consecutive years immediately preceding the beginning of any semester or session
19 for which the person's spouse or child described in par. (b) 1., 2., or 3. registers at an
20 institution, and who the U.S. department of veteran affairs has awarded at least a
21 30 percent service-connected disability rating under 38 USC 1114 or 1134.

22 **SECTION 4.** 36.27 (3n) (bd) of the statutes is amended to read:

23 36.27 (3n) (bd) If an eligible veteran was not a resident of this state at the time
24 of entry into service described in par. (a) 1m. a., the board may grant a remission of
25 academic fees and segregated fees under this subsection only if the eligible veteran's

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1 spouse or child described in par. (b) 1., 2., or 3. has resided in this state for at least
2 ~~5~~ 3 consecutive years immediately preceding the spouse's or child's enrollment in
3 an institution.

4 **SECTION 5.** 36.27 (3p) (a) 1r. (intro.) of the statutes is amended to read:

5 36.27 **(3p)** (a) 1r. (intro.) "Veteran" means a person who is verified by the
6 department of veterans affairs as being a resident of this state for purposes of
7 receiving benefits under ch. 45; as being a resident of this state at the time of his or
8 her entry into the U.S. armed forces or forces incorporated in the U.S. armed forces
9 or as being a resident of this state for at least ~~5~~ 3 consecutive years immediately
10 preceding the beginning of any semester or session for which the person registers at
11 an institution; and as meeting any of the following conditions:

12 **SECTION 6.** 38.24 (7) (a) 1m. a. of the statutes is amended to read:

13 38.24 **(7)** (a) 1m. a. A person who has served on active duty under honorable
14 conditions in the U.S. armed forces, in forces incorporated as part of the U.S. armed
15 forces, in the national guard, or in a reserve component of the U.S. armed forces; who
16 was a resident of this state at the time of entry into that service or resided in this state
17 for at least ~~5~~ 3 consecutive years after the person attained the age of 18; and who,
18 while a resident of this state, died on active duty, died as the result of a
19 service-connected disability, or died in the line of duty while on active or inactive
20 duty for training purposes.

21 **SECTION 7.** 38.24 (7) (a) 1m. b. of the statutes is amended to read:

22 38.24 **(7)** (a) 1m. b. A person who was a resident of this state at the time of entry
23 into service described in subd. 1m. a. or resided in this state for at least ~~5~~ 3
24 consecutive years immediately preceding the beginning of any semester or session
25 for which the person's spouse or child described in par. (b) 1., 2., or 3. registers at a

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1 technical college, and who the U.S. department of veteran affairs has awarded at
2 least a 30 percent service-connected disability rating under 38 USC 1114 or 1134.

3 **SECTION 8.** 38.24 (7) (bd) of the statutes is amended to read:

4 38.24 (7) (bd) If an eligible veteran was not a resident of this state at the time
5 of entry into service described in par. (a) 1m. a., the district board may grant a
6 remission of academic fees and segregated fees under this subsection only if the
7 eligible veteran's spouse or child described in par. (b) 1., 2., or 3. has resided in this
8 state for at least ~~5~~ 3 consecutive years immediately preceding the spouse's or child's
9 enrollment in a technical college.

10 **SECTION 9.** 38.24 (8) (a) 1r. (intro.) of the statutes is amended to read:

11 38.24 (8) (a) 1r. (intro.) "Veteran" means a person who is verified by the
12 department of veterans affairs as being a resident of this state for purposes of
13 receiving benefits under ch. 45; as being a resident of this state at the time of his or
14 her entry into the U.S. armed forces or forces incorporated in the U.S. armed forces
15 or as being a resident of this state for at least ~~5~~ 3 consecutive years immediately
16 preceding the beginning of any semester or session for which the person registers at
17 a technical college; and as meeting any of the following conditions:

18 **SECTION 10.** 39.49 (2) (a) 2. of the statutes is amended to read:

19 39.49 (2) (a) 2. If a deceased veteran was not a resident of this state at the time
20 of entry into service, the board may not make a grant under subd. 1. for an eligible
21 student who is a dependent of the deceased veteran unless the dependent has resided
22 in this state for at least ~~5~~ 3 consecutive years immediately preceding his or her
23 enrollment in a private institution.

24 **SECTION 11. Initial applicability.**

