

2003 DRAFTING REQUEST

Bill

Received: **01/24/2003**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Administration-Budget**

By/Representing: **Binau**

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Higher Education - UW System**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Binau - BB0415C,

Topic:

Making undocumented aliens eligible for UW resident tuition

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mlief 01/24/2003	kgilfoy 01/24/2003		_____			State
/1	pgrant 02/04/2003	kgilfoy 02/04/2003	pgreensl 01/24/2003	_____	amentkow 01/24/2003		State
/2			rschluet	_____	mbarman		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
			02/04/2003 _____		02/04/2003		

FE Sent For:

<END>

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/?	mlief 01/24/2003	kgilfoy 01/24/2003					State
/1		12-2/4/03 kgilfoy	pgreensl 01/24/2003		amentkow 01/24/2003		

Handwritten signature and date 2-14-03

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1?	mlief	11-1/04 Kmg	by ps	4/04 ps/gre			

FE Sent For:

<END>

2003

Date (time) needed

soon

LRB- 17241 /

DOA BUDGET DRAFT

D-N

MJR: [signature]

King

Use the appropriate components and routines developed for bills.

>>FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION<<

AN ACT ... [DO NOT generate catalog]; relating to: the budget.

Analysis by the Legislative Reference Bureau

If titles are needed in the analysis, in the component bar:

For the main heading, execute: create → anal: → title: → head

For the subheading, execute: create → anal: → title: → sub

For the sub-subheading, execute: create → anal: → title: → sub-sub

For the analysis text, in the component bar:

For the text paragraph, execute: create → anal: → text

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

SECTION #.

2003 BILL

*Issue (Head) Education
Higher Ed (Sub) Higher education*

1 AN ACT to create 36.27 (2) (cr) of the statutes; relating to: *one budget* allowing aliens who
2 are not legal permanent residents of the United States to pay resident tuition.

resided
Analysis by the Legislative Reference Bureau

Generally, current law allows a ~~University of Wisconsin~~ UW System student who has been a bona fide Wisconsin resident for the 12 months preceding the beginning of a semester or session for which the student registers to pay resident, as opposed to nonresident, tuition.

This bill allows an alien who is not a legal permanent resident of the United States to pay resident, as opposed to nonresident, tuition if: 1) he or she graduated from a Wisconsin high school or received a high school graduation equivalency from Wisconsin; 2) ~~was continuously present~~ *three years* in Wisconsin for at least ~~one year~~ following the first day of attending a ~~Wisconsin~~ high school; 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 the Immigration and Naturalization Service as soon as the person is eligible to do so.

graduation from

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:

BILL

1 36.27 (2) (cr) A person who is a citizen of a country other than the United States
2 is entitled to the exemption under par. (a) if that person meets all of the following
3 requirements:

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

6 2. The person ~~was continuously present~~ ^{resided} in this state for at least ~~one~~ ^{three} years
7 following ~~the first day of attending~~ ^{graduation from} a high school in this state. ^(or following the receipt of a high school graduation equivalency from this state)

8 3. The person enrolls in an institution and provides that institution with an
9 affidavit stating that the person has filed or will file an application for a permanent
10 resident visa with the Immigration and Naturalization Service as soon as the person
11 is eligible to do so.

^{University of Wisconsin System}
⁹³⁵⁷⁻⁹¹⁵⁷ ~~SECTION 2. Initial applicability.~~

12 (1) ~~This section~~ ^{first} applies to persons who enroll for the semester or session
13 following the effective date of this subsection.

(END)

14 (CS) Resident tuition for certain aliens.

graduation
equivalency
from
this
state

treatment of section 36.27(2)
(cr) ~~applies~~
of
the
Statutes

LRB-1724/1a

D-N

:Kwg:

R.J.:

As we discussed, this bill, if enacted, is vulnerable to ~~attack~~^{attack} because of the ~~the~~ federal law prohibiting undocumented aliens from receiving ~~certain~~^{certain} state benefits, including eligibility for resident tuition.

MIL

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1724/1dn
MJL:kmg:pg

January 24, 2003

R.J.:

As we discussed, this bill, if enacted, is vulnerable to attack because of the federal law prohibiting undocumented aliens from receiving certain state benefits, including eligibility for resident tuition.

Madelon J. Lief
Senior Legislative Attorney
Phone: (608) 267-7380

2/4/03

TC from RJ: use - 1090/1 instead,

PG



State of Wisconsin
2003 - 2004 LEGISLATURE

(Handwritten initials)

LRB-1724/1
MJL/kmg:pg

1886

DOA:.....Binau - BB0415C, Making undocumented aliens eligible for UW resident tuition

FOR 2003-05 BUDGET - NOT READY FOR INTRODUCTION

1

Don't GEN. CRT.
AN ACT relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

Generally, current law allows a UW System student who has been a bona fide Wisconsin resident for the 12 months preceding the beginning of a semester or session for which the student registers to pay resident, as opposed to nonresident, tuition.

This bill allows an alien who is not a legal permanent resident of the United States to pay resident, as opposed to nonresident, tuition if: 1) he or she graduated from a Wisconsin high school or received a high school graduation equivalency from Wisconsin; 2) ~~resided in Wisconsin for at least three years following graduation from high school;~~ 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 the Immigration and Naturalization Service as soon as the person is eligible to do so.

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

ins A

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

2003 BILL

A ✓

1 AN ACT to create 36.27 (2) (cr) of the statutes; relating to: allowing aliens who
2 are not legal permanent residents of the United States to pay resident tuition.

Analysis by the Legislative Reference Bureau

Generally, current law allows a University of Wisconsin (UW) System student who has been a bona fide Wisconsin resident for the 12 months preceding the beginning of a semester or session for which the student registers to pay resident, as opposed to nonresident, tuition.

This bill allows an alien who is not a legal permanent resident of the United States to pay resident, as opposed to nonresident, tuition if: 1) he or she graduated from a Wisconsin high school or received a high school graduation equivalency from Wisconsin; 2) was continuously present in Wisconsin for at least one year following the first day of attending a Wisconsin high school; 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 the Immigration and Naturalization Service as soon as the person is eligible to do so.

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

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

2-9 ✓

BILL

1 ~~36.27 (2) (cr) A person who is a citizen of a country other than the United States~~
2 ~~is entitled to the exemption under par. (a) if that person meets all of the following~~
3 ~~requirements:~~

4 ~~1. The person graduated from a high school in this state or received a high~~
5 ~~school graduation equivalency from this state.~~

6 ~~2. The person was continuously present in this state for at least one year~~
7 ~~following the first day of attending a high school in this state.~~

8 ~~3. The person enrolls in an institution and provides that institution with an~~
9 ~~affidavit stating that the person has filed or will file an application for a permanent~~
10 ~~resident visa with the Immigration and Naturalization Service as soon as the person~~
11 ~~is eligible to do so.~~

12 **SECTION 2. Initial applicability.**

13 ~~(1) This act first applies to persons who enroll for the semester or session~~
14 ~~following the effective date of this subsection.~~

15 (END)



State of Wisconsin
2003 - 2004 LEGISLATURE

LRB-1724/2
MJL&PG:kmg:rs

DOA:.....Binau – BB0415C, Making undocumented aliens eligible for UW
resident tuition

FOR 2003-05 BUDGET — NOT READY FOR INTRODUCTION

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

Analysis by the Legislative Reference Bureau

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