

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

LRB-1456/P1dn  
ARG:jld:jf

February 20, 2015

Please review the attached draft carefully to ensure that it is consistent with your intent.

My understanding of the intent of this draft is to provide clarification with respect to section 702 of the federal Veterans Access, Choice and Accountability Act of 2014 (“Choice Act”), P.L. 104–201, enacted as 38 USC 3679. The Choice Act provides penalties for public institutions of higher education if they do not provide resident tuition for certain nonresident veterans and their families.

Provisions of current law enacted before the Choice Act allow the Board of Regents to provide a nonresident tuition exemption for certain service members and veterans. See s. 36.27 (2) (b). I believe these provisions are being used to implement the Choice Act. However, because the provisions were enacted before the Choice Act, the provisions are not well-tailored to the federal law under 38 USC 3679 (c). This makes the provision in the attached draft, created s. 36.27 (2) (b) 5., a bit awkward.

Because there is no provision under current law allowing technical colleges to implement the Choice Act, I created s. 38.24 (3m) to do so and then added a clarification relating to the date of enrollment.

Please let me know if you would like any changes made to the attached draft or if you have any questions. If the attached draft meets with your approval, let me know and I will convert it to an introducible “/1” draft.

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