

**2019 DRAFTING REQUEST**

**Bill**

For: **Administration-Budget** Drafter: **mkunkel**  
 By: **Mott** Secondary Drafters:  
 Date: **1/28/2019** May Contact:

Same as LRB:

Submit via email: **YES**  
 Requester's email:  
 Carbon copy (CC) to: **DOASBOSatLanguage@wisconsin.gov**  
**aaron.gary@legis.wisconsin.gov**  
**amandaL.Mott@wisconsin.gov**

**Pre Topic:**

DOA:.....Mott, BB0223 -

**Topic:**

Nonresident tuition exemption for undocumented individuals

**Instructions:**

See attached

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mkunkel 1/28/2019	ccarmich 1/29/2019			
/P1			lparisi 1/29/2019		State S&L

FE Sent For: **<END>**

## Kunkel, Mark

---

**From:** Hanaman, Cathlene  
**Sent:** Friday, January 25, 2019 2:43 PM  
**To:** Gary, Aaron; Kunkel, Mark  
**Subject:** FW: Statutory Language Drafting Request - 2019-21

**From:** Mott, Amanda L - DOA <AmandaL.Mott@wisconsin.gov>  
**Sent:** Friday, January 25, 2019 2:18 PM  
**To:** Hanaman, Cathlene <Cathlene.Hanaman@legis.wisconsin.gov>  
**Cc:** Hynek, Sara - DOA <Sara.Hynek@wisconsin.gov>; Mott, Amanda L - DOA <AmandaL.Mott@wisconsin.gov>  
**Subject:** Statutory Language Drafting Request - 2019-21

Biennial Budget: 2019-21

Topic: Nonresident Tuition Exemption for Undocumented Individuals

Tracking Code: BB0223

SBO Team: EWD

SBO Analyst: Mott, Amanda  
Phone: 608-266-2843  
E-mail: [amandaL.mott@wisconsin.gov](mailto:amandaL.mott@wisconsin.gov)

Agency Acronym: 285

Agency Number: 285

Priority: Low

Intent:

Reinstate provision added in 2009 Act 28 related to nonresident tuition exemptions for undocumented individuals. Specifically, that provision exempted a person who is a citizen of another country from nonresident tuition if that person met all of the following requirements: (a) the person graduated from a Wisconsin high school or received a high school graduation equivalency declaration from this state; (b) the person was continuously present in this state for at least three years following the first day of attending a Wisconsin high school or immediately preceding the receipt of a declaration of equivalency of high school graduation; and (c) the person enrolls in a UW System institution or Wisconsin technical college and provides the institution or college with proof that the person has filed or will file an application for a permanent resident visa with the U.S. Citizenship and Immigration Services as soon as the person is eligible to do so. That provision was deleted in 2011 Act 32.

Attachments: False

Please send completed drafts to [SBOSatlanguag@spmail.enterprise.wistate.us](mailto:SBOSatlanguag@spmail.enterprise.wistate.us)



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-4361/1

MDK:jla

*cdc*

**2017 ASSEMBLY BILL 645**

*-1677/P1*

November 14, 2017 - Introduced by Representatives ZAMARRIPA, MASON, ANDERSON, BERCEAU, BOWEN, BROSTOFF, CONSIDINE, CROWLEY, FIELDS, GOYKE, HEBL, HESSELBEIN, HINTZ, KOLSTE, OHNSTAD, POPE, SARGENT, SPREITZER, SUBECK, C. TAYLOR, VRUWINK, YOUNG and ZEPNICK, cosponsored by Senators CARPENTER, LARSON, JOHNSON, MILLER, RINGHAND and VINEHOUT. Referred to Committee on Colleges and Universities.

*S/A  
x-ref  
S/CV*

*the budget*

1 **AN ACT** *φ* **to create** 36.27 (2) (cr) and 38.22 (6) (e) of the statutes; **relating to:**  
2 University of Wisconsin and technical college nonresident tuition exemptions.

*uw*  
**Analysis by the Legislative Reference Bureau**

This bill creates a nonresident tuition exemption for certain technical college and University of Wisconsin System students.

Current law allows the Board of Regents of the UW System to charge different tuition rates to resident and nonresident students. Current law also includes nonresident tuition exemptions, under which certain nonresident students pay resident tuition rates. This bill creates an additional exemption for an alien who is not a legal permanent resident of the United States and who: 1) graduated from a Wisconsin high school or received a declaration of equivalency of high school graduation from Wisconsin; 2) was continuously present in Wisconsin for at least three years following the first day of attending a Wisconsin high school or immediately preceding receipt of a declaration of equivalency of high school graduation; 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 U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

The bill also provides that an alien described above is considered a resident of this state for purposes of admission to and payment of fees at a technical college.

*EDUCATION*

*HIGHER EDUCATION*

**ASSEMBLY BILL 645**

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:*

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

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

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

7           2. The person was continuously present in this state for at least 3 years  
8 following the first day of attending a high school in this state or immediately  
9 preceding receipt of a declaration of equivalency of high school graduation.

10           3. The person enrolls in an institution and provides that institution with proof  
11 that the person has filed or will file an application for a permanent resident visa with  
12 U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

13           **SECTION 2.** 38.22 (6) (e) of the statutes is created to read:

14           38.22 (6) (e) Any person who is a citizen of a country other than the United  
15 States if that person meets all of the following requirements:

16           1. The person graduated from a high school in this state or received a  
17 declaration of equivalency of high school graduation from this state.

18           2. The person was continuously present in this state for at least 3 years  
19 following the first day of attending a high school in this state or immediately  
20 preceding receipt of a declaration of equivalency of high school graduation.

ASSEMBLY BILL 645

1           3. The person enrolls in a district school and provides the district board with  
 2 proof that the person has filed or will file an application for a permanent resident visa  
 3 with U.S. Citizenship and Immigration Services as soon as the person is eligible to  
 4 do so.

**SECTION 3. Initial applicability.**

6           (1) The treatment of ~~section 36.27 (2) (cr)~~ of the statutes first applies to persons  
 7 who enroll for the semester or session following the effective date of this subsection.

8           (2) The treatment of ~~section 38.22 (6) (e)~~ of the statutes first applies to persons  
 9 who enroll for the semester or session following the effective date of this subsection.

10           SECTION 9347. University of Wisconsin System.  
 (END)

SECTION 9342. Technical College System.

(Sort)



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-1677/P1  
MDK:cdc

DOA:.....Mott, BB0223 - Nonresident tuition exemption for undocumented individuals

**FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION**

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

---

*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**HIGHER EDUCATION**

This bill creates a nonresident tuition exemption for certain technical college and UW System students.

Current law allows the Board of Regents of the UW System to charge different tuition rates to resident and nonresident students. Current law also includes nonresident tuition exemptions, under which certain nonresident students pay resident tuition rates. This bill creates an additional exemption for an alien who is not a legal permanent resident of the United States and who: 1) graduated from a Wisconsin high school or received a declaration of equivalency of high school graduation from Wisconsin; 2) was continuously present in Wisconsin for at least three years following the first day of attending a Wisconsin high school or immediately preceding receipt of a declaration of equivalency of high school graduation; 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 U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

The bill also provides that an alien described above is considered a resident of this state for purposes of admission to and payment of fees at a technical college.

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:*

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

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

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

7           2. The person was continuously present in this state for at least 3 years  
8 following the first day of attending a high school in this state or immediately  
9 preceding receipt of a declaration of equivalency of high school graduation.

10           3. The person enrolls in an institution and provides that institution with proof  
11 that the person has filed or will file an application for a permanent resident visa with  
12 U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

13           **SECTION 2.** 38.22 (6) (e) of the statutes is created to read:

14           **38.22 (6) (e)** Any person who is a citizen of a country other than the United  
15 States if that person meets all of the following requirements:

16           1. The person graduated from a high school in this state or received a  
17 declaration of equivalency of high school graduation from this state.

18           2. The person was continuously present in this state for at least 3 years  
19 following the first day of attending a high school in this state or immediately  
20 preceding receipt of a declaration of equivalency of high school graduation.



1           3. The person enrolls in a district school and provides the district board with  
2 proof that the person has filed or will file an application for a permanent resident visa  
3 with U.S. Citizenship and Immigration Services as soon as the person is eligible to  
4 do so.

5           **SECTION 9342. Initial applicability; Technical College System.**

6           (1) The treatment of s. 38.22 (6) (e) first applies to persons who enroll for the  
7 semester or session following the effective date of this subsection.

8           **SECTION 9347. Initial applicability; University of Wisconsin System.**

9           (1) The treatment of s. 36.27 (2) (cr) first applies to persons who enroll for the  
10 semester or session following the effective date of this subsection.

11

(END)