2021 ASSEMBLY BILL 945

February 2, 2022 – Introduced by Representatives MURPHY, ARMSTRONG, GUNDRUM and ALLEN, cosponsored by Senators ROTH and DARLING. Referred to Committee on State Affairs.

AN ACT to amend 36.11 (3) (a); and to create 36.11 (3) (am), 36.11 (60) and 36.65 (3m) of the statutes; relating to: prohibiting the admission or employment of Chinese People’s Liberation Army members by the University of Wisconsin System.

Analysis by the Legislative Reference Bureau

This bill requires the Board of Regents of the University of Wisconsin System to take reasonable measures to ensure that a person who is or has been a member of, affiliated with, or funded by the Chinese People’s Liberation Army is not accepted for admission to or employed by the UW System.

The bill also requires the Board of Regents, in an annual report to the legislature and governor required under current law, to include a description of all measures taken during the reporting period to satisfy this requirement.

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:

SECTION 1. 36.11 (3) (a) of the statutes is amended to read:
36.11 (3) (a) The board shall establish the policies for admission within the system and within these policies each institution shall establish specific requirements for admission to its courses of instruction. No sectarian or partisan tests or any tests based upon race, religion, national origin of U.S. citizens or sex shall ever be allowed in the admission of students thereto.

SECTION 2. 36.11 (3) (am) of the statutes is created to read:

36.11 (3) (am) 1. The board shall take reasonable measures to ensure that no applicant who is or has been a member of, affiliated with, or funded by the Chinese People's Liberation Army is accepted for admission as a system student.

2. For purposes of subd. 1., an applicant is considered to be affiliated with the Chinese People's Liberation Army if any of the following applies:

a. The applicant has ever been employed by, received compensation from, or signed any contract with the Chinese People’s Liberation Army.

b. The applicant has conducted research or participated in projects in partnership with or sponsored by the Chinese People’s Liberation Army.

c. The applicant actively communicates with, reports to, or intends to report to the Chinese People's Liberation Army or its members regarding activity at an institution.

d. The applicant has indicated a verbal or written commitment to partner with or join the Chinese People’s Liberation Army within 10 years of the end of the applicant’s enrollment in an institution.

e. The applicant meets any other criteria established by the board for determining that a person is affiliated with the Chinese People’s Liberation Army.

SECTION 3. 36.11 (60) of the statutes is created to read:
36.11 (60) EMPLOYMENT OF CHINESE PEOPLE'S LIBERATION ARMY MEMBERS. (a) The board shall take reasonable measures to ensure that no individual who is or has been a member of, affiliated with, or funded by the Chinese People's Liberation Army is employed by the system.

(b) For purposes of par. (a), an individual is considered to be affiliated with the Chinese People's Liberation Army if any of the following applies:

1. The individual has ever been employed by, received compensation from, or signed any contract with the Chinese People's Liberation Army.

2. The individual has conducted research or participated in projects in partnership with or sponsored by the Chinese People's Liberation Army.

3. The individual actively communicates with, reports to, or intends to report to the Chinese People's Liberation Army or its members regarding activity at an institution.

4. The individual has indicated a verbal or written commitment to partner with or join the Chinese People's Liberation Army within 10 years of the end of the individual's presence at or relationship with an institution.

5. The individual meets any other criteria established by the board for determining that a person is affiliated with the Chinese People's Liberation Army.

SECTION 4. 36.65 (3m) of the statutes is created to read:

36.65 (3m) MEASURES TO PREVENT ADMISSION OR EMPLOYMENT OF CHINESE PEOPLE'S LIBERATION ARMY MEMBERS. The board shall include in the report required under sub. (2) a description of all measures taken under s. 36.11 (3) (am) and (60) during the reporting period to prevent the admission or employment of any individual who is or has been a member of, affiliated with, or funded by the Chinese People's Liberation Army.
SECTION 5. Initial applicability.

(1) The treatment of s. 36.11 (3) (am) and (60) first applies to individuals who apply for admission to or employment by the University of Wisconsin System on the effective date of this subsection.

(2) The treatment of s. 36.65 (3m) first applies to the first report required under s. 36.65 (2) submitted at least 9 months after the effective date of this subsection.

SECTION 6. Effective date.

(1) This act takes effect on the first day of the 4th month beginning after publication.