



State of Wisconsin  
2021 - 2022 LEGISLATURE

LRB-1248/P4  
ARG:emw&skw

DOA:.....Mott, BB0439 - Nonresident Tuition Exemption for Certain Native Americans at UW and technical colleges

**FOR 2021-2023 BUDGET -- NOT READY FOR INTRODUCTION**

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

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*Analysis by the Legislative Reference Bureau*

**EDUCATION**

**HIGHER EDUCATION**

***Nonresident tuition exemption for certain tribal members***

This bill allows certain students who are members of, or whose parents or grandparents are members of, a federally recognized American Indian tribe and who are otherwise ineligible for resident tuition at UW System institutions and technical colleges to qualify for resident tuition.

Under current law, a person generally must be a resident of this state 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.

Also under current law, the TCS Board establishes program fees that the technical college districts must charge students. With exceptions, the fees for nonresidents are 150 percent of the fees for residents. The TCS Board must establish procedures to determine the residence of students attending technical colleges, but statutes specify that certain students must be considered residents of this state.

This bill creates a nonresident tuition exemption for certain tribal members or children or grandchildren of tribal members. Under the bill, a student enrolled in

a UW System institution or technical college qualifies for resident tuition or fee rates if all of the following apply:

1. The student, or the student's parent or grandparent, is a member of a federally recognized American Indian tribe or band in Wisconsin or is a member of a federally recognized tribe in a state contiguous with Wisconsin.

2. The student has resided in Wisconsin, Minnesota, Illinois, Iowa, or Michigan, or in any combination of these states, for at least 12 months prior to enrolling in a UW System institution or technical college.

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

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

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

36.27 (2) (ar) A student is entitled to the exemption under par. (a) if all of the following apply:

1. The student, or the student's parent or grandparent, is a member of a federally recognized American Indian tribe or band in this state or is a member of a federally recognized tribe in a state contiguous with Wisconsin.

2. The student has resided in Wisconsin, Minnesota, Illinois, Iowa, or Michigan, or in any combination of these states, for at least 12 months immediately preceding the beginning of any semester or session in which the student enrolls in an institution.

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

38.22 (6) (g) Any person who meets all of the following requirements:

1. The person, or the person's parent or grandparent, is a member of a federally recognized American Indian tribe or band in this state or is a member of a federally recognized tribe in a state contiguous with Wisconsin.

2. The person has resided in Wisconsin, Minnesota, Illinois, Iowa, or Michigan, or in any combination of these states, for at least 12 months immediately preceding

the beginning of any semester or session in which the person enrolls in a district school.

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

(1) NONRESIDENT TUITION EXEMPTION FOR CERTAIN TRIBAL MEMBERS. The treatment of s. 38.22 (6) (g) first applies to persons who enroll for the semester or session following the effective date of this subsection.

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

(1) NONRESIDENT TUITION EXEMPTION FOR CERTAIN TRIBAL MEMBERS. The treatment of s. 36.27 (2) (ar) first applies to students who enroll for the semester or session following the effective date of this subsection.

(END)