
Wisconsin Legislative Council

ACT MEMO



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2021 Wisconsin Act 159
[2021 Senate Bill 605]

**Resident Tuition for Relocated
Service Members and Their
Children and Spouses**

2021 WISCONSIN ACT 159

Resident Tuition

Under current law, there are several ways an individual can qualify for in-state tuition or fees at a University of Wisconsin System (UWS) or Wisconsin Technical College System (WTCS) institution. As relevant to 2021 Wisconsin Act 159, one way to qualify for in-state tuition at a UWS institution is by establishing “bona fide residency” at the beginning of any semester and for the 12 months preceding. A person’s intent to establish and maintain a permanent home in Wisconsin is determinative of bona fide residency, but this intent may be shown by several factors, including filing of a Wisconsin income tax return, place of employment, and involvement in community activities in Wisconsin.

Intent to establish and maintain a permanent home in Wisconsin is also determinative of residency for the purpose of qualifying for resident fees for WTCS institutions. This intent may be shown by the same factors set forth in Wisconsin’s bona fide residency statute.

Under the act, relocated service members, their spouses, and their dependents must be considered residents of Wisconsin for the purpose of in-state tuition and fees at UWS and WTCS institutions during the service member’s period of relocation, if the service member, spouse, or dependent demonstrates bona fide residency. The act defines “relocated service member” as an active duty member of the U.S. armed forces who has been relocated from Wisconsin and stationed on active duty in another state.

Commencement of Fall Semester

Under current law, the UWS Board of Regents may not allow any fall semester classes to commence until after September 1, with the exception of medical school classes and fourth year classes at the UW School of Veterinary Medicine.

The act adds “graduate health science classes” to the list of classes which the Board of Regents may allow to commence before September 1.

Effective date: March 10, 2022

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