

State of Misconsin 2017 - 2018 LEGISLATURE

LRB-4874/1 MDK:jld&amn

# 2017 ASSEMBLY BILL 853

January 19, 2018 – Introduced by Representatives MURPHY, ANDERSON, BALLWEG, BERCEAU, E. BROOKS, CROWLEY, MURSAU, NOVAK, PETRYK, SARGENT, SPIROS, SPREITZER, SUBECK, C. TAYLOR and VANDERMEER, cosponsored by Senators PETROWSKI, RISSER, LARSON, RINGHAND, VINEHOUT and MARKLEIN. Referred to Committee on Veterans and Military Affairs.

1 AN ACT to create 36.27 (1m) of the statutes; relating to: University of Wisconsin

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System resident tuition for certain veterans and their family members.

### Analysis by the Legislative Reference Bureau

This bill requires the Board of Regents of the University of Wisconsin System to treat certain veterans and their family members as residents for purposes of tuition. Under the bill, if a student is a covered individual, the Board of Regents must treat the student as a resident for purposes of tuition. The bill's definition of "covered individual" is based on federal law, which has three categories of "covered individuals." The bill uses the first and second categories, but makes a change to the third category.

A student qualifies under the first category if he or she is a veteran who enrolls in the UW System within three years of discharge from a period of active duty service of 90 days or more. A student qualifies under the second category if he or she is a veteran's spouse or child who uses certain federal benefits transferred by the veteran and he or she enrolls in the UW System within three years of the veteran's discharge from a period of active duty service of 90 days or more. A student qualifies under the third category if he or she is a child or spouse of a U.S. armed forces service member who dies in the line of duty on or after September 11, 2001. Unlike the third category under federal law, the bill does not require a student to enroll within three years of the service member's death to qualify under the third category. Also, unlike federal law, a student qualifies under the third category even if the service member served less than 90 days of active duty.

If a student qualifies as a covered individual under one of the above categories, the bill requires the Board of Regents to treat the student as a resident for purposes

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of tuition as long as the student is continuously enrolled in the UW System or a technical college with a break no longer than two regular terms.

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.** 36.27 (1m) of the statutes is created to read:
- 36.27 (1m) NONRESIDENT FEE EXEMPTION FOR COVERED INDIVIDUALS. (a) In this
  subsection:
- 1. "Covered individual" has the meaning given in 38 USC 3679 (c), except that
   "covered individual" includes a deceased service member's child or spouse who
   enrolls in the system at any time after the deceased service member's death.
- 2. "Deceased service member" means an individual who, on or after September
  11, 2001, dies in the line of duty while serving on active duty as a member of the U.S.
  armed forces regardless of the number of days the individual served on active duty.
- (b) The Board of Regents shall treat any student who is a covered individual
  as a resident for purposes of tuition as long as the student is continuously enrolled
  in the system or a technical college with a break no longer than 2 regular terms.
- (c) This subsection does not affect any other fee exemption or fee remission for
  which a covered individual may be eligible under this section.
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# SECTION 2. Initial applicability.

- 16 (1) This act first applies to students enrolled for the first semester or session
  beginning after the effective date of this subsection.
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## (END)