



2005 ASSEMBLY BILL 576

July 27, 2005 – Introduced by Representatives COLON, ZEPNICK, YOUNG, POCAN, SINICKI, BERCEAU, BLACK, GRIGSBY, LEHMAN, SEIDEL, TRAVIS, TURNER, FIELDS, PARISI and TOLES, cosponsored by Senator RISSER. Referred to Committee on Colleges and Universities.

1 **AN ACT to create** 36.27 (2) (cr) and 38.22 (6) (e) of the statutes; **relating to:**
2 allowing aliens who are not legal permanent residents of the United States to
3 pay resident tuition or fees.

Analysis by the Legislative Reference Bureau

Generally, current law allows a University of Wisconsin (UW) System student who has been a bona fide Wisconsin resident for the 12 months preceding the beginning of a semester or session for which the student registers to pay resident, as opposed to nonresident, tuition. In addition, a person who is not a resident of this state may attend a technical college only if the district board approves. A nonresident pays higher fees.

This bill allows an alien who is not a legal permanent resident of the United States to be treated as a resident for purposes of admission to a technical college and to pay resident, as opposed to nonresident, tuition or fees at the UW System institution or the technical college if he or she: 1) graduated from a Wisconsin high school or received a high school graduation equivalency from Wisconsin; 2) was continuously present in Wisconsin for at least three years following the first day of attending a Wisconsin high school; and 3) enrolls in a UW System institution or technical college and provides the institution or college with an affidavit stating that he or she has filed or will file an application for permanent residency with the U.S. Citizenship and Immigration Services as soon as the person is eligible to do so.

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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:

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 high
6 school graduation equivalency 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.

9 3. The person enrolls in an institution and provides that institution with an
10 affidavit stating that the person has filed or will file an application for a permanent
11 resident visa with the U.S. Citizenship and Immigration Services as soon as the
12 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) A person who is a citizen of a country other than the United States
15 if that person meets all of the following requirements:

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

20 3. The person enrolls in a district and provides the district board with an
21 affidavit stating that the person has filed or will file an application for a permanent

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1 resident visa with the U.S. Citizenship and Immigration Services as soon as the
2 person is eligible to do so.

3 **SECTION 3. Initial applicability.**

4 (1) This act first applies to persons who enroll for the semester or session
5 following the effective date of this subsection.

6 (END)