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LRB-3167/1 MDK:ahe

2017 SENATE BILL 231

May 9, 2017 - Introduced by Senator Petrowski, cosponsored by Representative Skowronski. Referred to Committee on Transportation and Veterans Affairs.

AN ACT to repeal 38.24 (3m) (c); and to amend 38.24 (3m) (title) and 38.24 (3m)

(a) of the statutes; **relating to:** resident technical college fees for individuals receiving benefits transferred under federal law by active duty uniformed service members.

Analysis by the Legislative Reference Bureau

Under this bill, technical college districts must charge resident fees to individuals to whom active duty uniformed service members transfer certain unused educational benefits under federal law. Under current state law, technical college districts must charge resident fees to "covered individuals," as defined under federal law, while those individuals are continuously enrolled. Before its amendment in 2016, the federal law defined "covered individual" to include individuals to whom certain veterans transfer unused benefits. In 2016, the federal law was amended to define "covered individual" to also include individuals to whom active duty uniformed service members transfer unused benefits. Although current state law uses the definition of "covered individual" under federal law, current state law includes a provision that has the effect of prohibiting technical college districts from charging resident fees to individuals who are covered individuals based on unused benefits transferred by active duty uniformed service members. This bill eliminates that provision and therefore requires technical college districts to charge resident fees to those individuals.

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For further information see the *state and local* 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. 38.24 (3m) (title) of the statutes is amended to read:
2	38.24 (3m) (title) Nonresident fee exemption for veterans and their spouses
3	AND CHILDREN COVERED INDIVIDUALS.
4	Section 2. 38.24 (3m) (a) of the statutes is amended to read:
5	38.24 (3m) (a) In this subsection, "covered individual" has the meaning given
6	in 38 USC 3679 (c) (2) .
7	Section 3. 38.24 (3m) (c) of the statutes is repealed.
8	(END)