



2019 ASSEMBLY BILL 373

August 12, 2019 - Introduced by Representatives MURPHY, KERKMAN, FELZKOWSKI, RAMTHUN, ZIMMERMAN and KNODL, cosponsored by Senators JACQUE, L. TAYLOR and STROEBEL. Referred to Committee on State Affairs.

AUTHORS SUBJECT TO CHANGE

1 **AN ACT to renumber** 36.27 (6) (a); **to amend** 36.09 (5) and 36.27 (6) (b); and **to**
2 **create** 36.05 (10m) and 36.27 (6) (ag) of the statutes; **relating to:** University
3 of Wisconsin System segregated fees.

Analysis by the Legislative Reference Bureau

This bill limits the authority of University of Wisconsin System institutions to charge students “segregated fees,” which the bill defines as mandatory fees that are in addition to instructional fees. The bill requires the Board of Regents to ensure that institutions charge segregated fees only for expenses related to the following: 1) officially recognized student organizations; 2) student governance; 3) student media; 4) intra-collegiate student recreational sports; 5) intercollegiate athletics; 6) student health, counseling, and child care services; 7) student transportation services; 8) nonacademic student services; 9) student union programming and nonretail operations; 10) facility maintenance; and 11) capital construction projects.

The bill imposes restrictions on segregated fees for intercollegiate athletics and capital construction projects. For intercollegiate athletics, the amount charged to an individual student for an academic year may not exceed the lesser of \$225 or the amount charged for the 2020–21 academic year. For a capital construction project at a UW school, segregated fees may be charged only if the project is authorized by a majority vote of the school’s entire student body in two consecutive academic years. In addition, no more than 50 percent of a project’s cost may be funded with segregated fees.

The bill also provides that an institution’s students have responsibility for the disposition of all segregated fees. Under current law, that responsibility is limited

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to fees that constitute substantial support for campus student activities. However, as under current law, student responsibility is subject to final confirmation of the Board of Regents.

Finally, the bill does not affect the requirements under current law that the Board of Regents must ensure that segregated fees are used only for the purpose for which they are charged or that any fees for inter-institutional student government organization must be optional, not mandatory.

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.** 36.05 (10m) of the statutes is created to read:

2 36.05 (10m) "Segregated fees" means mandatory fees charged to students of
3 an institution that are in addition to instructional fees.

4 **SECTION 2.** 36.09 (5) of the statutes is amended to read:

5 36.09 (5) STUDENTS. The students of each institution or campus subject to the
6 responsibilities and powers of the board, the president, the chancellor, and the
7 faculty shall have primary responsibility for advising the chancellor regarding the
8 formulation and review of policies concerning student life, services, and interests.
9 Students in consultation with the chancellor and subject to the final confirmation of
10 the board shall have the responsibility for the disposition of ~~those student~~ segregated
11 ~~fees which constitute substantial support for campus student activities.~~ The
12 students of each institution or campus shall have the right to organize themselves
13 in a manner they determine and to select their representatives to participate in
14 institutional governance.

15 **SECTION 3.** 36.27 (6) (a) of the statutes is renumbered 36.27 (6) (ar).

16 **SECTION 4.** 36.27 (6) (ag) of the statutes is created to read:

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1 36.27 (6) (ag) The board shall ensure that institutions charge segregated fees
2 only for expenses related to any of the following:

- 3 1. Student organizations officially recognized by the institution.
- 4 2. Student governance.
- 5 3. Student media.
- 6 4. Intra-collegiate student recreational sports.
- 7 5. Intercollegiate athletics, except that the amount charged to an individual
8 student for intercollegiate athletics for an academic year may not exceed \$225, or the
9 amount charged to the student for that purpose for the 2020-21 academic year,
10 whichever is less.
- 11 6. Student health, counseling, and child care services.
- 12 7. Student transportation services.
- 13 8. Nonacademic student services.
- 14 9. Student union programming and nonretail operations.
- 15 10. Facility maintenance.
- 16 11. Capital construction projects at a university or college campus that are
17 authorized by majority vote of the entire student body of the university or college
18 campus in 2 consecutive academic years, except that no more than 50 percent of the
19 costs of a capital construction project may be funded with segregated fees.

20 **SECTION 5.** 36.27 (6) (b) of the statutes is amended to read:

21 36.27 (6) (b) The board may provide students with the opportunity to pay an
22 additional fee to support an inter-institutional student government organization.
23 The, except that the board may not require students to pay the fee.

24 **SECTION 6. Initial applicability.**

