

State of Wisconsin



2023 Senate Bill 380

Date of enactment: **December 6, 2023**

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2023 WISCONSIN ACT 80

AN ACT *to repeal* 36.11 (27), 39.28 (6), 39.30 (2) (intro.), (a) and (b), 39.30 (2) (f) and 39.30 (3m) and (4); *to amend* 20.285 (1) (e), 36.66 (1) (a), 36.66 (2), 36.66 (3) (a) and (c), 36.66 (4), 36.66 (5), 36.66 (6) (a) (intro.), 36.66 (6) (b), 38.42 (1) (a), 38.42 (3) (c), 38.42 (6) (b), 39.285 (title), 39.30 (2) (title), 39.30 (2) (d), 39.30 (2) (e), 39.39 (2) (b), 39.435 (1), 39.435 (2), 39.435 (3), 39.435 (4) (a) and 39.435 (8); *to repeal and recreate* 39.30 (3); and *to create* 36.66 (1) (c), 39.285 (4), 39.30 (1m), 39.30 (2) (g) and 39.435 (2m) of the statutes; **relating to:** Wisconsin grants and other financial aid for higher education.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.285 (1) (e) of the statutes is amended to read:

20.285 (1) (e) *Grants to meet emergency financial need.* As a continuing appropriation, the amounts in the schedule for distribution to ~~the college campuses~~ institutions for purposes of making grants under s. 36.66.

SECTION 2. 36.11 (27) of the statutes is repealed.

SECTION 3. 36.66 (1) (a) of the statutes is amended to read:

36.66 (1) (a) "Eligible student" means a student enrolled in ~~a college campus whose expected family contribution, as defined in s. 39.437 (3) (a), is less than \$5,000~~ an institution whose financial need meets the eligibility criteria for a grant from the Federal Pell Grant Program.

SECTION 4. 36.66 (1) (c) of the statutes is created to read:

36.66 (1) (c) "Institution" includes any former college campus that was partnered with the institution as a branch campus in the system restructuring plan approved

by the Higher Learning Commission on or about June 28, 2018.

SECTION 5. 36.66 (2) of the statutes is amended to read:

36.66 (2) From the appropriation under s. 20.285 (1) (e), no later than September 1, 2016, and by September 1 of each year thereafter, the board shall distribute funds to ~~the college campuses~~ institutions for payment of grants under this section. These funds may not be used by the ~~college campuses~~ institutions for any other purpose. The amount distributed by the board to each ~~college campus~~ institution shall be determined by the board based on the anticipated need and demand for grants at each ~~college campus~~ institution.

SECTION 6. 36.66 (3) (a) and (c) of the statutes are amended to read:

36.66 (3) (a) Subject to pars. (b) to (d), each ~~college campus~~ institution may award grants to eligible students to pay the student's expense resulting from a financial emergency. In evaluating a grant application, the ~~college campus~~ institution shall, in its discretion and based on its

* Section 991.11, WISCONSIN STATUTES: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

best judgment, determine whether the student has incurred a legitimate financial emergency.

(c) ~~A college campus~~ An institution may not award more than 2 grants under this section to the same student in any academic year. The total of all grants made to a student under this section in the same academic year may not exceed \$500 \$1,000.

SECTION 7. 36.66 (4) of the statutes is amended to read:

36.66 (4) Each ~~college campus~~ institution shall create or adopt a brief application process and designate an employee with the authority to disburse the grant funds to eligible students. A decision on a grant application, and disbursement of grant funds to a student if a grant is awarded, shall be made within 5 business days of the student's application.

SECTION 8. 36.66 (5) of the statutes is amended to read:

36.66 (5) If a student applies for a 2nd grant under this section within the same academic year, ~~a college campus~~ an institution shall require the student to undergo a financial counseling session with a financial aid professional before the grant may be awarded.

SECTION 9. 36.66 (6) (a) (intro.) of the statutes is amended to read:

36.66 (6) (a) (intro.) Each ~~college campus~~ institution shall collect, for each academic year, the following information related to the grant program under this section:

SECTION 10. 36.66 (6) (b) of the statutes is amended to read:

36.66 (6) (b) By ~~June 30, 2017, and by June 30 September 1~~ of each year ~~thereafter~~, each ~~college campus~~ institution shall report to the board the information collected under par. (a), for the academic year ending in that calendar year, and the board shall submit a report of this information to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3) having jurisdiction over matters relating to colleges and universities.

SECTION 11. 38.42 (1) (a) of the statutes is amended to read:

38.42 (1) (a) "Eligible student" means a student enrolled in a technical college whose ~~expected family contribution, as defined in s. 39.437 (3) (a), is less than \$5,000~~ financial need meets the eligibility criteria for a grant from the Federal Pell Grant Program.

SECTION 12. 38.42 (3) (c) of the statutes is amended to read:

38.42 (3) (c) A technical college may not award more than 2 grants under this section to the same student in any academic year. The total of all grants made to a student under this section in the same academic year may not exceed \$500 \$1,000.

SECTION 13. 38.42 (6) (b) of the statutes is amended to read:

38.42 (6) (b) By ~~June 30, 2017, and by June 30 September 1~~ of each year ~~thereafter~~, each district shall report to the board the information collected under par. (a), for the academic year ending in that calendar year, and the board shall submit a report of this information to the chief clerk of each house of the legislature, for distribution to the appropriate standing committees under s. 13.172 (3) having jurisdiction over matters relating to colleges and universities.

SECTION 14. 39.28 (6) of the statutes is repealed.

SECTION 15. 39.285 (title) of the statutes is amended to read:

39.285 (title) Board review of proposed formulae; minimum and maximum grant amounts.

SECTION 16. 39.285 (4) of the statutes is created to read:

39.285 (4) By March 1 of each year, the board shall establish a minimum and maximum amount for grants awarded for the next fiscal year under s. 39.30 and 39.435, except for grants awarded under s. 39.435 (2) or (5). The board shall integrate the minimum and maximum grant amounts into the formula for awarding grants.

SECTION 17. 39.30 (1m) of the statutes is created to read:

39.30 (1m) GRANT PROGRAM. There is established, to be administered by the board, a grant program for post-secondary resident students who satisfy the eligibility criteria under 20 USC 1091 (a) (1) and (2) and are enrolled in accredited, private, nonprofit institutions of higher education headquartered in this state.

SECTION 18. 39.30 (2) (title) of the statutes is amended to read:

39.30 (2) (title) ELIGIBILITY RESTRICTIONS.

SECTION 19. 39.30 (2) (intro.), (a) and (b) of the statutes are repealed.

SECTION 20. 39.30 (2) (d) of the statutes is amended to read:

39.30 (2) (d) No grant ~~shall~~ may be awarded under this section to members of religious orders who are pursuing a course of study leading to a degree in theology, divinity or religious education.

SECTION 21. 39.30 (2) (e) of the statutes is amended to read:

39.30 (2) (e) The board may not make a grant under this section to a student whose name appears on the state-wide support lien docket under s. 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

SECTION 22. 39.30 (2) (f) of the statutes is repealed.

SECTION 23. 39.30 (2) (g) of the statutes is created to read:

39.30 (2) (g) The board may award a grant under this section to the same student for up to 10 semesters of full-

time enrollment or, as determined by the board, the equivalent of 10 semesters of full-time enrollment. If the student receiving the grant is enrolled less than full time in any semester or session, only the fraction of the student's enrollment, in proportion to full-time enrollment, shall be applied toward this 10-semester limit.

SECTION 24. 39.30 (3) of the statutes is repealed and recreated to read:

39.30 (3) GRANT AWARDS. (a) The board shall award grants under this section based on the current federal need analysis formula consistent with generally accepted definitions and nationally approved need analysis methodology.

(b) The awarding of grants under this section is subject to any formula approved or modified by the board under s. 39.285 (1).

SECTION 25. 39.30 (3m) and (4) of the statutes are repealed.

SECTION 26. 39.39 (2) (b) of the statutes is amended to read:

39.39 (2) (b) Promulgate rules to administer this section, including rules establishing loan amounts and the criteria and procedures for loan forgiveness and for selecting loan recipients. Loan recipients shall be selected on the basis of financial need, as determined by the board, using the needs need analysis methodology used under s. 39.435.

SECTION 27. 39.435 (1) of the statutes is amended to read:

39.435 (1) There is established, to be administered by the board, a grant program for postsecondary resident students ~~enrolled at least half-time and registered as freshmen, sophomores, juniors, or seniors in accredited institutions of higher education or in tribally controlled colleges in this state~~ who satisfy the eligibility criteria under 20 USC 1091 (a) (1) and (2). Except as authorized under sub. (5), such grants shall be made only to students enrolled in nonprofit public institutions or tribally controlled colleges in this state.

SECTION 28. 39.435 (2) of the statutes is amended to read:

39.435 (2) The board shall award talent incentive grants to uniquely needy students enrolled at least half-time as first-time freshmen at public and private nonprofit institutions of higher education located in this state and to sophomores, juniors, and seniors who received such grants as freshmen. No grant under this subsection may exceed \$1,800 for any academic year. The board may award a grant under this subsection to the same student for up to 10 semesters or their equivalent, but may not award such a grant to the same student more than 6 years after the initial grant is awarded to that student. A student need not maintain continuous enrollment at an institution of higher education to remain eligible for a

grant under this subsection. The board shall promulgate rules establishing eligibility criteria for grants under this subsection. No provision of this subsection applies to a grant under sub. (1).

SECTION 29. 39.435 (2m) of the statutes is created to read:

39.435 (2m) The board may award a grant under sub. (1) to the same student for up to 10 semesters of full-time enrollment or, as determined by the board, the equivalent of 10 semesters of full-time enrollment. If the student receiving the grant is enrolled less than full time in any semester or session, only the fraction of the student's enrollment, in proportion to full-time enrollment, shall be applied toward this 10-semester limit.

SECTION 30. 39.435 (3) of the statutes is amended to read:

39.435 (3) ~~Grants under sub. (1) shall not be less than \$250 during any one academic year, unless the joint committee on finance approves an adjustment in the amount of the minimum grant. Grants under sub. (1) shall not exceed \$3,000 during any one academic year, except that beginning in academic year 2009-10, grants under sub. (1) shall not exceed \$3,150 during any one academic year.~~ The board shall, by rule, establish a reporting system to periodically provide student economic data related to applicants for grants under sub. (1) and shall promulgate other rules the board deems necessary to assure uniform administration of the program.

SECTION 31. 39.435 (4) (a) of the statutes is amended to read:

39.435 (4) (a) The board shall award grants under this section based on ~~a the current federal need analysis formula that accounts for expected parental and student contributions and is consistent with generally accepted definitions and nationally approved needs need analysis methodology.~~

SECTION 32. 39.435 (8) of the statutes is amended to read:

39.435 (8) The board shall award grants under this section to University of Wisconsin System students from the appropriation under s. 20.235 (1) (fe). The board shall ensure that University of Wisconsin System students enrolled in an agricultural short course who are eligible under sub. (1) are awarded grants as provided in sub. (4).

SECTION 33. Initial applicability.

(1) GRANTS AWARDED. The treatment of ss. 20.285 (1) (e), 36.11 (27), 36.66 (1) (a) and (c), (2), (3) (a) and (c), (4), (5), and (6) (a) (intro.), 38.42 (1) (a) and (3) (c), 39.28 (6), 39.285 (4), 39.30 (1m), (2) (intro.), (a), (b), (d), (e), (f), and (g), (3), (3m), and (4), and 39.435 (1), (2), (2m), (3), and (4) (a) first applies to grants and other financial assistance awarded for the 2024-25 academic year.

(2) REPORTS. The treatment of ss. 36.66 (6) (b) and 38.42 (6) (b) first applies to reports submitted after 2023.
