



STATE OF WISCONSIN
DEPARTMENT OF JUSTICE

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HAND-DELIVERED

The Honorable Stephen Nass, Co-Chairperson
Joint Committee for the Review of Administrative Rules
Room 10 South, Capitol

The Honorable Joan Ballweg, Co-Chairperson
Joint Committee for the Review of Administrative Rules
Room 210 North, Capitol

Re: Petition to repeal Wis. Admin. Code ch. Jus 8

Dear Senator Nass and Representative Ballweg:

The Wisconsin Department of Justice (DOJ) seeks to repeal Wisconsin Administrative Code chapter Jus 8, which formerly established procedures for carrying out sex offender registration requirements. A copy of the proposed rule is attached.

The former statute under which chapter Jus 8 was promulgated, Wis. Stat. § 175.45 (1993–94), authorized DOJ to administer the sex offender registration program and to promulgate rules necessary to carry out its duties under the statute. That statute was renumbered and amended by 1995 Wis. Act 440. The new statute, Wis. Stat. § 301.45, authorizes the Department of Corrections (DOC), not DOJ, to administer the sex offender registration program and to promulgate rules necessary to carry out its duties under the statute. DOC promulgated such a rule, chapter DOC 332, and chapter Jus 8 has been superseded by that rule. Chapter Jus 8 is an “unauthorized rule,” as defined in Wis. Stat. § 227.26(4)(a).

DOJ therefore seeks to repeal Jus 8 by using the expedited process under Wis. Stat. § 227.26(4).

Sincerely,

Eric J. Wilson
Deputy Attorney General

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Enclosure