



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB3232

Introduced 2/18/2025, by Rep. Bradley Fritts

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Tribal Law Enforcement Borders Act. Provides that law enforcement officers of the Prairie Band Potawatomi Nation may exercise the powers and authority of law enforcement officers anywhere on property owned, occupied, or operated by the Prairie Band Potawatomi Nation or at the site of a function sponsored by the Prairie Band Potawatomi Nation and other specified areas. Provides that law enforcement officers employed by a Native American Indian Tribe may exercise the powers and authority of law enforcement officers anywhere within the exterior limits of the reservation of the tribe employing the tribal law enforcement officer if the Native American Indian Tribe maintains in force a valid and binding agreement with an insurance carrier to provide liability insurance coverage for damages arising from the acts, errors, or omissions of the tribal law enforcement agency or officer and other specified omissions. Provides that the tribe shall waive its sovereign immunity solely to the extent necessary to permit recovery under the liability insurance, but not to exceed the policy limits. Sets forth provisions concerning county law enforcement borders, municipal law enforcement border, and the powers of all law enforcement officers. Makes other changes.

LRB104 11056 RTM 21138 b

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Tribal  
5 Law Enforcement Borders Act.

6 Section 5. County law enforcement borders. County sheriffs  
7 and their deputies may exercise the powers and authority of  
8 law enforcement officers anywhere within their county.

9 Section 10. Municipal law enforcement borders.

10 (a) A law enforcement officer employed by a municipality  
11 may exercise the powers and authority of a law enforcement  
12 officer anywhere within the limits of the municipality  
13 employing the law enforcement officer and outside of the  
14 municipality when on property owned or under the control of  
15 the municipality.

16 (b) In addition to the areas where a law enforcement  
17 officer may exercise the powers and authority of a law  
18 enforcement officer under subsection (a), law enforcement  
19 officers of any jurisdiction within DeKalb County may exercise  
20 the powers and authority of law enforcement officers in any  
21 area within DeKalb County when executing a valid arrest  
22 warrant or search warrant to the extent necessary to execute

1 the warrants.

2 (c) In addition to the areas where law enforcement  
3 officers may exercise the powers and authority of law  
4 enforcement officers under subsection (a), a law enforcement  
5 officer of any jurisdiction within Johnson County may exercise  
6 the powers and authority as law enforcement officers in any  
7 adjoining city within Johnson County when any crime, including  
8 a traffic infraction, has been or is being committed by a  
9 person in view of the law enforcement officer. A law  
10 enforcement officer shall be considered to be exercising  
11 powers under subsection (a), when the officer is responding to  
12 the scene of a crime, even if the officer exits the city limits  
13 of the city employing the officer and further reenters the  
14 city limits of the city employing the officer to respond to the  
15 scene.

16 Section 15. Tribal law enforcement.

17 (a) Law enforcement officers employed by a Native American  
18 Indian Tribe may exercise the powers and authority of law  
19 enforcement officers anywhere within the exterior limits of  
20 the reservation of the tribe employing the tribal law  
21 enforcement officer, subject to the following:

22 (1) The provisions of this subsection shall be  
23 applicable only if the Native American Indian Tribe  
24 maintains in force a valid and binding agreement with an  
25 insurance carrier to provide liability insurance coverage

1 for damages arising from the acts, errors, or omissions of  
2 the tribal law enforcement agency or officer while acting  
3 under this Section and waives its tribal immunity, as  
4 provided in paragraph (2), for any liability for damages  
5 arising from the acts, errors or omissions of the tribal  
6 law enforcement agency or officer while acting pursuant to  
7 this section. The insurance policy shall:

8 (A) Be in an amount not less than \$500,000 for any  
9 one person and \$2,000,000 for any one occurrence for  
10 personal injury and \$1,000,000 for any one occurrence  
11 for property damage;

12 (B) be in an amount not less than \$2,000,000  
13 aggregate loss limit;

14 (C) carry an endorsement to provide coverage for  
15 mutual aid assistance;

16 (D) include an endorsement providing that the  
17 insurer may not invoke tribal sovereign immunity up to  
18 the limits of the policy set forth herein.

19 Any insurance carrier providing the liability insurance  
20 coverage to a tribe shall certify to the Attorney General that  
21 the tribe has in effect coverage which complies with the  
22 requirements of this subsection. The tribe's insurance carrier  
23 shall notify the Attorney General immediately by first class  
24 mail if for any reason the coverage terminates or no longer  
25 complies with the requirements of this subsection.

26 (2) The provisions of this subsection shall be

1 applicable only if the Native American Indian Tribe has  
2 filed a map clearly showing the boundaries of the tribe's  
3 reservation with the county clerk.

4 (b) If a claim is brought against any tribal law  
5 enforcement agency or officer for acts committed by an  
6 agency or officer while acting under this Act, then the  
7 claim shall be subject to disposition as if the tribe was  
8 the State under the Court of Claims Act. However, the  
9 Court of Claims Act shall not govern the tribe's purchase  
10 of insurance. The tribe shall waive its sovereign immunity  
11 solely to the extent necessary to permit recovery under  
12 the liability insurance, but not to exceed the policy  
13 limits.

14 (c) Nothing in this Section shall be construed to  
15 prohibit any agreement between any State or local law  
16 enforcement agency and any Native American Indian Tribe.

17 (d) Nothing in this Section shall be construed to  
18 affect the provision of law enforcement services outside  
19 the exterior boundaries of reservations so as to affect in  
20 any way the criteria by which the United States department  
21 of the interior makes a determination regarding placement  
22 of land into trust.

23 (e) Neither the State nor any entity of the State  
24 shall be liable for any act or failure to act by any tribal  
25 law enforcement officer.

1           Section 20. Prairie Band Potawatomi Nation law enforcement  
2 officers. Law enforcement officers of the Prairie Band  
3 Potawatomi Nation may exercise the powers and authority of law  
4 enforcement officers anywhere:

5           (1) on property owned, occupied, or operated by the  
6 Prairie Band Potawatomi Nation or at the site of a  
7 function sponsored by the Prairie Band Potawatomi Nation;

8           (2) on the streets, property, and highways immediately  
9 adjacent to and coterminous with property described in  
10 paragraph (1);

11           (3) within a municipality or county containing  
12 property described in paragraph (1) or (2) is located, as  
13 necessary to protect the health, safety and welfare of  
14 benefit district employees, board members, volunteers, and  
15 visitors, with appropriate agreement by local law  
16 enforcement agencies. Agreements under this paragraph  
17 shall include provisions defining the geographical scope  
18 of the jurisdiction conferred, circumstances requiring the  
19 extended jurisdiction, scope of law enforcement powers,  
20 and duration of the agreement. Before any agreement  
21 entered into under this Section shall take effect, it  
22 shall be approved by the governing body of the  
23 municipality, county, or both the municipality and county,  
24 having jurisdiction where the property is located, and the  
25 governing board of the Prairie Band Potawatomi Nation; and

26           (4) with appropriate notification of and coordination

1 with local law enforcement agencies within the  
2 municipality or county containing property described in  
3 paragraph (1) or (2) is located, when there is reason to  
4 believe that a violation of a State law, county  
5 resolution, or municipality ordinance has occurred on the  
6 property, as necessary to investigate and arrest persons  
7 for the violation.

8 Section 25. Powers of all law enforcement agencies.

9 (a) All law enforcement officers not otherwise provided  
10 statewide jurisdiction may exercise the powers and authority  
11 of law enforcement officers anywhere when:

12 (1) a request for assistance has been made by law  
13 enforcement officers from the area for which assistance is  
14 requested;

15 (2) in fresh pursuit of a person;

16 (3) transporting persons in custody to an appropriate  
17 facility, wherever the facility is located; and

18 (4) investigating a crime that occurred within the law  
19 enforcement officer's jurisdiction, with appropriate  
20 notification to and coordination with a local law  
21 enforcement agency with jurisdiction over the area where  
22 the investigation is to be conducted.

23 (b) In addition to the jurisdictional authority provided  
24 under this Act and any other provision of law, all law  
25 enforcement officers may exercise the powers and authority of

1 law enforcement officers when outside their described  
2 jurisdiction and when an activity is observed leading the  
3 officer to reasonably suspect a person is committing, has  
4 committed, or is about to commit a crime and reasonably  
5 believe that a person is in imminent danger of death or bodily  
6 injury without immediate action, subject to all of the  
7 following:

8 (1) The officer is in an on-duty status, traveling in  
9 a law enforcement vehicle to or from work or traveling to a  
10 training or law enforcement function outside the law  
11 enforcement officer's jurisdiction.

12 (2) The officer reports the activity and their actions  
13 to a law enforcement agency with jurisdiction.

14 (3) The officer remains at the location of the  
15 activity and cooperates with officers responding from the  
16 jurisdiction of occurrence.

17 (4) The officer is in uniform or otherwise properly  
18 identified as a law enforcement officer.

19 (5) The agency employing the officer may impose  
20 additional restrictions through written policies.