



Rep. Norma Hernandez

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10400HB4685ham001

LRB104 19430 RLC 35880 a

1 AMENDMENT TO HOUSE BILL 4685

2 AMENDMENT NO. _____. Amend House Bill 4685 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by adding
5 Section 10-3.2 as follows:

6 (720 ILCS 5/10-3.2 new)

7 Sec. 10-3.2. Unlawful restraint for civil immigration
8 purposes.

9 (a) As used in this Section:

10 "Civil immigration enforcement" means the execution or
11 attempted execution of any arrests or detentions solely for
12 the objective of enforcing non-criminal federal immigration
13 laws. "Civil immigration enforcement" does not include actions
14 related to the enforcement of federal criminal charges or the
15 execution or attempted execution of a federal criminal
16 warrant.

1 "Immigration agent" means:

2 (1) an agent of federal Immigration and Customs
3 Enforcement, federal Customs and Border Protection, or any
4 similar or successor agency; or

5 (2) any other individual employed by any other
6 government agency to which the federal government has
7 granted the authority to arrest or detain individuals or
8 manage custody of detained individuals for purposes of
9 civil immigration enforcement while acting in that
10 capacity or conducting investigations or enforcement
11 pursuant to that power.

12 (b) A person commits unlawful restraint for civil
13 immigration purposes when he or she knowingly:

14 (1) detains another person for the purpose of civil
15 immigration enforcement;

16 (2) by force or threat of imminent force transfers
17 another person from one place to another with the intent
18 to detain the other person for civil immigration
19 enforcement;

20 (3) by deceit or enticement induces another person to
21 transfer from one place to another with intent to detain
22 the other person for civil immigration enforcement; or

23 (4) uses a deadly weapon while detaining or
24 transferring another person from one place to another with
25 the intent to detain the other person for civil
26 immigration enforcement.

1 (c) This Section does not apply to any immigration agent
2 or other law enforcement officer.

3 (d) Sentence. A violation of paragraph (1), (2), or (3) of
4 subsection (b) is a Class 4 felony. A violation of paragraph
5 (4) of subsection (b) is a Class 3 felony."