



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5762

Introduced 5/6/2026, by Rep. John M. Cabello

#### SYNOPSIS AS INTRODUCED:

5 ILCS 805/15  
705 ILCS 96/Act rep.

Amends the Illinois TRUST Act. Specifies that provisions of the Act that prohibit the enforcement of federal civil immigration laws by State law enforcement agencies and officials do not apply if the State law enforcement agency or official is presented with a valid, enforceable federal warrant. Specifies that nothing in those provisions prohibits communication between federal agencies or officials and law enforcement agencies or officials. Deletes prohibitions against agreements to detain individuals for federal civil immigration violations. Deletes various specified prohibitions against assisting with immigration enforcement. Repeals the Court Access, Safety, and Participation Act.

LRB104 21775 BDA 37458 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 5. The Illinois TRUST Act is amended by changing  
5 Section 15 as follows:

6 (5 ILCS 805/15)

7 Sec. 15. Prohibition on enforcing federal civil  
8 immigration laws.

9 (a) A law enforcement agency or law enforcement official  
10 shall not detain or continue to detain any individual solely  
11 on the basis of any immigration detainer or civil immigration  
12 warrant or otherwise comply with an immigration detainer or  
13 civil immigration warrant.

14 (b) A law enforcement agency or law enforcement official  
15 shall not stop, arrest, search, detain, or continue to detain  
16 a person solely based on an individual's citizenship or  
17 immigration status.

18 (c) This Section 15 does not apply if a law enforcement  
19 agency or law enforcement official is presented with a valid,  
20 enforceable federal warrant. Nothing in this Section 15  
21 prohibits communication between federal agencies or officials  
22 and law enforcement agencies or officials ~~(Blank)~~.

23 (d) A law enforcement agency or law enforcement official

1 acting in good faith in compliance with this Section who  
2 releases a person subject to an immigration detainer or civil  
3 immigration warrant shall have immunity from any civil or  
4 criminal liability that might otherwise occur as a result of  
5 making the release, with the exception of willful or wanton  
6 misconduct.

7 (e) A law enforcement agency or law enforcement official  
8 may not inquire about or investigate the citizenship or  
9 immigration status or place of birth of any individual in the  
10 agency or official's custody or who has otherwise been stopped  
11 or detained by the agency or official. Nothing in this  
12 subsection shall be construed to limit the ability of a law  
13 enforcement agency or law enforcement official, pursuant to  
14 State or federal law, to notify a person in the law enforcement  
15 agency's custody about that person's right to communicate with  
16 consular officers from that person's country of nationality,  
17 or facilitate such communication, in accordance with the  
18 Vienna Convention on Consular Relations or other bilateral  
19 agreements. Nothing in this subsection shall be construed to  
20 limit the ability of a law enforcement agency or law  
21 enforcement official to request evidence of citizenship or  
22 immigration status pursuant to the Firearm Owners  
23 Identification Card Act, the Firearm Concealed Carry Act,  
24 Article 24 of the Criminal Code of 2012, or 18 United States  
25 Code Sections 921 through 931.

26 (f) Unless otherwise limited by federal law, a law

1 enforcement agency or law enforcement official may not deny  
2 services, benefits, privileges, or opportunities to an  
3 individual in custody or under probation status, including,  
4 but not limited to, eligibility for or placement in a lower  
5 custody classification, educational, rehabilitative, or  
6 diversionary programs, on the basis of the individual's  
7 citizenship or immigration status, the issuance of an  
8 immigration detainer or civil immigration warrant against the  
9 individual, or the individual being in immigration removal  
10 proceedings.

11 (g) (1) (Blank). ~~No law enforcement agency, law enforcement~~  
12 ~~official, or any unit of State or local government may enter~~  
13 ~~into or renew any contract, intergovernmental service~~  
14 ~~agreement, or any other agreement to house or detain~~  
15 ~~individuals for federal civil immigration violations.~~

16 (2) (Blank). ~~Any law enforcement agency, law enforcement~~  
17 ~~official, or unit of State or local government with an~~  
18 ~~existing contract, intergovernmental agreement, or other~~  
19 ~~agreement, whether in whole or in part, that is utilized to~~  
20 ~~house or detain individuals for civil immigration violations~~  
21 ~~shall exercise the termination provision in the agreement as~~  
22 ~~applied to housing or detaining individuals for civil~~  
23 ~~immigration violations no later than January 1, 2022.~~

24 (h) (Blank). ~~Unless presented with a federal criminal~~  
25 ~~warrant, or otherwise required by federal law, a law~~  
26 ~~enforcement agency or official may not:~~

1           ~~(1) participate, support, or assist in any capacity~~  
2           ~~with an immigration agent's enforcement operations,~~  
3           ~~including any collateral assistance such as coordinating~~  
4           ~~an arrest in a courthouse or other public facility,~~  
5           ~~providing use of any equipment, transporting any~~  
6           ~~individuals, or establishing a security or traffic~~  
7           ~~perimeter surrounding such operations, or any other~~  
8           ~~on site support;~~

9           ~~(2) give any immigration agent access, including by~~  
10           ~~telephone, to any individual who is in that agency's~~  
11           ~~custody;~~

12           ~~(3) transfer any person into an immigration agent's~~  
13           ~~custody;~~

14           ~~(4) permit immigration agents use of agency facilities~~  
15           ~~or equipment, including any agency electronic databases~~  
16           ~~not available to the public, for investigative interviews~~  
17           ~~or other investigative or immigration enforcement purpose;~~

18           ~~(5) enter into or maintain any agreement regarding~~  
19           ~~direct access to any electronic database or other~~  
20           ~~data-sharing platform maintained by any law enforcement~~  
21           ~~agency, or otherwise provide such direct access to the~~  
22           ~~U.S. Immigration and Customs Enforcement, United States~~  
23           ~~Customs and Border Protection or any other federal entity~~  
24           ~~enforcing civil immigration violations;~~

25           ~~(6) provide information in response to any immigration~~  
26           ~~agent's inquiry or request for information regarding any~~

~~individual in the agency's custody; or~~  
~~(7) provide to any immigration agent information not~~  
~~otherwise available to the public relating to an~~  
~~individual's release or contact information, or otherwise~~  
~~facilitate for an immigration agent to apprehend or~~  
~~question an individual for immigration enforcement.~~

(i) Nothing in this Section shall preclude a law enforcement official from otherwise executing that official's duties in investigating violations of criminal law and cooperating in such investigations with federal and other law enforcement agencies (including criminal investigations conducted by federal Homeland Security Investigations (HSI)) in order to ensure public safety.

(Source: P.A. 102-234, eff. 8-2-21; 103-154, eff. 6-30-23.)

(705 ILCS 96/Act rep.)

Section 10. The Court Access, Safety, and Participation Act is repealed.