

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****SB2712**

Introduced 10/14/2025, by Sen. Laura Fine

**SYNOPSIS AS INTRODUCED:**

New Act

55 ILCS 5/3-4006

from Ch. 34, par. 3-4006

625 ILCS 5/2-130

Creates the Immigration Enforcement Act. Requires every school district to review its comprehensive school safety plan, and amend, if necessary, its comprehensive school safety plan to include procedures specifically designed to notify parents and guardians of pupils, teachers, administrators, and school personnel when the school confirms the presence of immigration enforcement on school premises. Requires postsecondary educational entities, and each campus of those postsecondary educational entities, to make good faith efforts to notify all students, faculty, and staff who work on campus when the presence of immigration enforcement is confirmed on campus. Provides that health care provider entity personnel shall immediately notify health care provider entity management, administration, or legal counsel of any request for access to a health care provider entity site or patient for immigration enforcement. Establishes the Deportation Defense Grant Program for the hiring of a public defender to assist those who will act as an attorney to a noncitizen in an immigration case or for a nonprofit who assists in the immigration legal casework. Makes a conforming change the Counties Code. Amends the Illinois Vehicle Code. Provides that ALPR information may be shared by a law enforcement agency only for purposes of locating vehicles or persons if there is probable cause of being involved in the commission of a criminal offense. Provides that before a request for ALPR information may be processed, a law enforcement agency must obtain and review a police report to ensure compliance, which, if granted and shared, the relevant information may only be accessed or retained for a maximum of 15 days before a new request is required. Provides that an ALPR system that gives out information in violation of the provisions shall be liable for civil penalties of up to \$25,000 per violation. Provides that the commission of a deceptive practice by a law enforcement official in violation of the provisions is a Class B misdemeanor. Provides that each ALPR system shall produce an biannual audit report submitted to the Secretary of State showing all searches for a police department conducted by customers outside of the police department. Effective immediately.

LRB104 15775 LNS 28965 b

**A BILL FOR**

1 AN ACT concerning immigration.

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  
5 Immigration Enforcement Act.

6 Section 5. Definitions. As used in this Act:

7 "Citizenship or immigration status" means all matters  
8 regarding citizenship of the United States or any other  
9 country or the authority to reside in or otherwise be present  
10 in the United States.

11 "Contact information" means home address, work address,  
12 telephone number, email address, social media information, or  
13 any other personal identifying information that could be used  
14 as a means to contact an individual.

15 "Immigration agent" means an agent of the United States  
16 Immigration and Customs Enforcement, the United States Customs  
17 and Border Protection, or any similar or successor agency.

18 "Immigration enforcement" means any and all efforts to  
19 investigate, enforce, or assist in the investigation or  
20 enforcement of any federal civil immigration law. "Immigration  
21 enforcement" includes any and all efforts to investigate,  
22 enforce, or assist in the investigation or enforcement of any  
23 federal criminal immigration law that penalizes a person's

1 presence in, entry or reentry to, or employment in the United  
2 States.

3 "Law enforcement agency" means an agency of the State or  
4 unit of local government charged with the enforcement of  
5 State, county, or municipal laws or with managing custody of  
6 detained persons in the State.

7 "Law enforcement official" means any individual with the  
8 power to arrest or detain individuals, including law  
9 enforcement officers, corrections officers, and others  
10 employed or designated by a law enforcement agency. "Law  
11 enforcement official" includes any probation officer.

12 Section 10. School notification.

13 (a) By July 1, 2026, every school district must review its  
14 comprehensive school safety plan, and amend, if necessary, its  
15 comprehensive school safety plan to include procedures  
16 specifically designed to notify parents and guardians of  
17 pupils, teachers, administrators, and school personnel when  
18 the school confirms the presence of immigration enforcement on  
19 school premises.

20 (b) The content and timing of a notification provided  
21 under subsection (a) shall consider the safety and well-being  
22 of the pupils, employees, and community members on school  
23 premises when determining how and when to issue the  
24 notification to parents and guardians of pupils, teachers,  
25 administrators, and school personnel.

1        This notification may also include a hyperlink to  
2 additional resources for families with information about their  
3 educational rights, State laws that protect parents' and  
4 students' privacy and confidentiality, and, if available,  
5 counseling or support services, which may include services  
6 that support families impacted by immigration enforcement and  
7 model policies adopted by the local educational agency.

8        A notice provided under this subsection shall not include  
9 any personally identifiable information.

10        (c) By July 1, 2026, postsecondary educational entities,  
11 and each campus of those postsecondary educational entities,  
12 shall make good faith efforts to notify, as specified, all  
13 students, faculty, and staff who work on campus when the  
14 presence of immigration enforcement is confirmed on campus.

15        (d) A notice provided under subsection (c) shall include  
16 all of the following:

17            (1) The date and time the immigration enforcement was  
18 confirmed.

19            (2) The location of the confirmed immigration  
20 enforcement.

21            (3) A hyperlink to additional resources, including the  
22 information posted on its Internet website.

23        A notice provided under this subsection shall not include  
24 any personally identifiable information.

25        Section 15. Patient access and protection.

1           (a) A health care provider entity shall, to the extent  
2 possible, establish or amend procedures for monitoring,  
3 documenting, and receiving visitors to health care provider  
4 entities consistent with this Section. Health care provider  
5 entities are encouraged to post a notice to authorities at  
6 health care provider entity facility entrances.

7           (b) Health care provider entity personnel shall  
8 immediately notify health care provider entity management,  
9 administration, or legal counsel of any request for access to  
10 a health care provider entity site or patient for immigration  
11 enforcement.

12           Health care provider entity personnel shall immediately  
13 provide any requests for review of health care provider entity  
14 documents, including through a lawfully issued subpoena,  
15 warrant, or court order, to health care provider entity  
16 management, administration, or legal counsel.

17           If a request is made to access a health care provider  
18 entity site or patient, including to obtain information about  
19 a patient or the patient's family, for immigration  
20 enforcement, health care provider entity personnel shall  
21 direct that request to the designated health care provider  
22 entity management, administrator, or legal counsel.

23           (c) To enhance privacy available to health care provider  
24 entity facility users and promote a safe environment conducive  
25 to the health care provider entity facility's mission and  
26 patient care, a health care provider entity shall designate

1 areas where patients are receiving treatment or care or where  
2 a patient is discussing protected health information as  
3 nonpublic. The health care provider entity facility is  
4 encouraged to designate these areas through mapping, signage,  
5 key entry, policy, or a combination of those.

6 (d) Unless required by State or federal law, a health care  
7 provider entity and its personnel shall not allow any person  
8 access to the nonpublic areas of the health care provider  
9 entity facility for immigration enforcement purposes, unless  
10 that person has a valid judicial warrant or court order that  
11 specifically grants access to the nonpublic areas of the  
12 health care provider entity facility.

13 (e) A health care provider entity and its personnel shall,  
14 to the extent possible, have the denial of permission for  
15 access to nonpublic areas of the health care provider entity  
16 facility witnessed and documented by at least one health care  
17 provider entity personnel.

18 (f) Health care provider entities shall inform staff and  
19 relevant volunteers on how to respond to requests relating to  
20 immigration enforcement that grants access to health care  
21 provider entity sites or to patients.

22 (g) This Section does not prohibit a person who is in  
23 lawful custody from being accompanied to access health care  
24 services and for the person's transportation and arrangement  
25 to health care provider entities, and does not prohibit any  
26 person from entering nonpublic areas of a hospital to receive

1 care for the person or someone in the person's care or custody.

2 (h) For purposes of this Section, "health care provider  
3 entity" includes all of the following:

4 (1) Public hospitals or nonpublic hospitals.

5 (A) For the purposes of this subsection, "public  
6 hospital" means a hospital that is licensed to a  
7 county, a city, a city and county, the State, a local  
8 health care district, a local health authority, or any  
9 other political subdivision of the State.

10 (B) For purposes of this subsection, "nonpublic  
11 hospital" means a hospital that meets both of the  
12 following conditions:

13 (i) the hospital does not meet the definition  
14 of a public hospital under subparagraph (A); and

15 (ii) the hospital is licensed as a general  
16 acute care hospital.

17 (2) Clinics.

18 (3) A physician organization.

19 (4) Other health care providers that deliver or  
20 furnish services related to physical or mental health and  
21 wellness.

22 Section 20. Deportation Defense Grant Program.

23 (a) The Deportation Defense Grant Program is established  
24 through the Illinois Criminal Justice Information Authority.  
25 This Program, totaling \$3,000,000 a year, shall be used for

1 the hiring of a public defender to assist those who will act as  
2 an attorney to a noncitizen in an immigration case or for a  
3 nonprofit who assists in the immigration legal casework.

4 (b) When awarding grant funds from the Program, the  
5 following shall be taken into consideration:

6 (1) Geographic diversity.

7 (2) Demographic diversity.

8 (3) The current size of county public defender office,  
9 if applicable.

10 Section 25. The Counties Code is amended by changing  
11 Section 3-4006 as follows:

12 (55 ILCS 5/3-4006) (from Ch. 34, par. 3-4006)

13 Sec. 3-4006. Duties of public defender. The Public  
14 Defender, as directed by the court, shall act as attorney,  
15 without fee, before any court within any county for all  
16 persons who are held in custody or who are charged with the  
17 commission of any criminal offense, and who the court finds  
18 are unable to employ counsel.

19 The Public Defender shall be the attorney, without fee,  
20 when so appointed by the court under Section 1-5 of the  
21 Juvenile Court Act of 1987.

22 In cases subject to Section 5-170 of the Juvenile Court  
23 Act of 1987 involving a minor who was under 15 years of age at  
24 the time of the commission of the offense, that occurs in a



1 county with a full-time public defender office, a public  
2 defender, without fee or appointment, may represent and have  
3 access to a minor during a custodial interrogation. In cases  
4 subject to Section 5-170 of the Juvenile Court Act of 1987  
5 involving a minor who was under 15 years of age at the time of  
6 the commission of the offense, that occurs in a county without  
7 a full-time public defender, the law enforcement agency  
8 conducting the custodial interrogation shall ensure that the  
9 minor is able to consult with an attorney who is under contract  
10 with the county to provide public defender services.  
11 Representation by the public defender shall terminate at the  
12 first court appearance if the court determines that the minor  
13 is not indigent.

14 Every court shall, with the consent of the defendant and  
15 where the court finds that the rights of the defendant would be  
16 prejudiced by the appointment of the public defender, appoint  
17 counsel other than the public defender, except as otherwise  
18 provided in Section 113-3 of the "Code of Criminal Procedure  
19 of 1963". That counsel shall be compensated as is provided by  
20 law. He shall also, in the case of the conviction of any such  
21 person, prosecute any proceeding in review which in his  
22 judgment the interests of justice require.

23 In any county in this State ~~counties with a population~~  
24 ~~over 3,000,000,~~ the public defender, without fee or  
25 appointment and with the concurrence of the county board, may  
26 act as attorney to noncitizens in immigration cases.

1 Representation by the public defender in immigration cases  
2 shall be limited to those arising in immigration courts  
3 located within the geographical boundaries of the county where  
4 the public defender has been appointed to office unless the  
5 board authorizes the public defender to provide representation  
6 outside the county.

7 (Source: P.A. 102-410, eff. 1-1-22; 102-1117, eff. 1-13-23.)

8 Section 30. The Illinois Vehicle Code is amended by  
9 changing Section 2-130 as follows:

10 (625 ILCS 5/2-130)

11 Sec. 2-130. User of automated license plate readers;  
12 prohibitions.

13 (a) As used in this Section:

14 "Automated license plate reader" or "ALPR" means an  
15 electronic device that is mounted on a law enforcement vehicle  
16 or positioned in a stationary location and that is capable of  
17 recording data on or taking a photograph of a vehicle or its  
18 license plate and comparing the collected data and photographs  
19 to existing law enforcement databases for investigative  
20 purposes. "ALPR" includes a device that is owned or operated  
21 by a person or an entity other than a law enforcement agency to  
22 the extent that data collected by the reader is shared with a  
23 law enforcement agency.

24 "ALPR information" means information gathered by an ALPR

1 or created from the analysis of data generated by an ALPR.

2 "ALPR systems" means multi-agency or vendor agreements  
3 that allow the sharing of ALPR information collected in  
4 Illinois.

5 "ALPR user" means a person or entity that owns or operates  
6 an ALPR device.

7 "Law enforcement agency" means a State or local agency,  
8 unit of local government, or private entity charged with the  
9 enforcement of State, county, or municipal laws or with  
10 managing custody of detained persons in any state or  
11 jurisdiction.

12 (b) An ALPR user shall not sell, share, allow access to, or  
13 transfer ALPR information to any state or local jurisdiction  
14 for the purpose of investigating or enforcing a law that:

15 (1) denies or interferes with a person's right to  
16 choose or obtain reproductive health care services or any  
17 lawful health care services as defined by the Lawful  
18 Health Care Activity Act; or

19 (2) permits the detention or investigation of a person  
20 based on the person's immigration status.

21 (c) Any ALPR user in this State, including any law  
22 enforcement agency of this State that uses ALPR systems, shall  
23 not share ALPR information with an out-of-state law  
24 enforcement agency or federal immigration agency without first  
25 obtaining a written declaration from the out-of-state law  
26 enforcement agency that it expressly affirms that ALPR

1 information obtained shall not be used in a manner that  
2 violates subsection (b). If a written declaration of  
3 affirmation is not executed, the law enforcement agency shall  
4 not share the ALPR information with the out-of-state law  
5 enforcement agency or federal immigration agency.

6 (d) ALPR information shall be held confidentially to the  
7 fullest extent permitted by law.

8 (e) Nothing in this Act shall define or limit any rights  
9 under the Reproductive Health Act.

10 (f) Absent exigent circumstances and subject to the  
11 limitations of subsection (b), ALPR information may be shared  
12 by a law enforcement agency only for purposes of locating  
13 vehicles or persons if there is probable cause of being  
14 involved in the commission of a criminal offense.

15 (g) Before a request for ALPR information may be  
16 processed, a law enforcement agency must obtain and review a  
17 police report to ensure compliance with subsection (b).

18 (h) After a request for ALPR information has been granted  
19 and the information has been shared, the relevant information  
20 may only be accessed or retained for a maximum of 15 days  
21 before a new request is required.

22 (i) ALPR information shall not be preserved for more than  
23 15 days by a law enforcement agency except it may be preserved  
24 for more than 15 days as part of an ongoing investigation as  
25 long as the captured plate data is confirmed as matching an  
26 alert and is destroyed at the conclusion of either:

1           (1) an investigation that does not result in any  
2           criminal charges being filed; or

3           (2) any criminal action undertaken in the matter  
4           involving the captured plate data.

5           (j) An ALPR system that gives out information in violation  
6           of this Section shall be liable for civil penalties of up to  
7           \$25,000 per violation.

8           (k) The commission of a deceptive practice by a law  
9           enforcement official in violation of this Section is a Class B  
10           misdemeanor.

11           (l) Starting January 1, 2026, each ALPR system shall  
12           produce an biannual audit report submitted to the Secretary of  
13           State showing all searches for a police department conducted  
14           by customers outside of the police department.

15           (Source: P.A. 103-540, eff. 1-1-24.)

16           Section 99. Effective date. This Act takes effect upon  
17           becoming law.