

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****SB2732**

Introduced 10/28/2025, by Sen. Karina Villa

**SYNOPSIS AS INTRODUCED:**

110 ILCS 167/18 new

Amends the Public Higher Education Act. Prohibits a school from threatening to disclose the actual or perceived citizenship or immigration status of an employee, a student, or a person associated with an employee or student to an external party; knowingly disclosing, without consent, anything related to the perceived citizenship or immigration status of an employee, a student, or a person associated with an employee or student to an external party if the school does not have direct knowledge of the employee's, student's, or associated person's actual citizenship or immigration status; knowingly disclosing, without consent, anything related to the actual citizenship or immigration status of an employee, a student, or a person associated with an employee or student to any other person or nongovernmental entity if the school has direct knowledge of the employee's, student's, or associated person's actual citizenship or immigration status; or designating immigration status, citizenship, place of birth, nationality, or national origin as directory information. Requires a school to develop procedures for reviewing and authorizing requests from law enforcement agents attempting to enter a school's campus by January 1, 2026. Requires a school to provide information on its website about who employees and students should contact if a law enforcement agent seeks to enter the school campus, enters the school campus, or engages in nonconsensual interactions with members of the school community by January 1, 2026. Prohibits a school from impeding students or employees from offering, attending, or participating in training on constitutional rights and immigration-related guidance. Allows aggrieved parties to bring a civil lawsuit. Makes other changes. Effective immediately.

LRB104 16031 LNS 29292 b

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

**A BILL FOR**

1 AN ACT concerning education.

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

4 Section 5. The Public Higher Education Act is amended by  
5 adding Section 18 as follows:

6 (110 ILCS 167/18 new)

7 Sec. 18. Immigration status and immigration enforcement.

8 (a) As used in this Section:

9 "Citizenship or immigration status" means all matters  
10 regarding citizenship of the United States or any other  
11 country or the authority or lack thereof to reside in or  
12 otherwise to be present in the United States, including an  
13 individual's nationality, country of citizenship, or status as  
14 an international student.

15 "Employee" means a full-time or part-time faculty member,  
16 staff member, executive leader, supervisor, clerical person,  
17 student, or contracted member of personnel employed by a  
18 school whose role involves direct, routine, or meaningful  
19 interaction with students to support their academic progress,  
20 personal development, or well-being.

21 "Law enforcement agent" means an agent of federal, State,  
22 or local law enforcement authorized with the power to arrest  
23 or detain individuals or manage the custody of detained

1 individuals for a law enforcement purpose, including civil  
2 immigration enforcement. "Law enforcement agent" does not  
3 include an agent of a school's police department.

4 "Nonjudicial warrant" means a warrant issued by a federal,  
5 State, or local governmental agency authorized with the power  
6 to arrest or detain individuals or manage the custody of  
7 detained individuals for any law enforcement purpose,  
8 including civil immigration enforcement. "Nonjudicial warrant"  
9 includes an immigration detainer or civil immigration warrant  
10 as defined in the Illinois TRUST Act. "Nonjudicial warrant"  
11 does not include a criminal warrant issued upon a judicial  
12 determination of probable cause, in compliance with the  
13 requirements of the Fourth Amendment to the United States  
14 Constitution and Section 6 of Article I of the Illinois  
15 Constitution.

16 "Prevailing party" includes any party:

17 (1) who obtains some of his or her requested relief  
18 through a judicial judgment in his or her favor;

19 (2) who obtains some of his or her requested relief  
20 through a settlement agreement approved by a court; or

21 (3) whose pursuit of a nonfrivolous claim was a  
22 catalyst for a unilateral change in position by the  
23 opposing party relative to the relief sought.

24 "School" means a public institution of higher education as  
25 defined in Section 5.

26 "School campus" or "school's campus" means:

1           (1) any building or property owned or controlled by a  
2           school within the same reasonably contiguous geographic  
3           area of the school and used by the school in direct support  
4           of or in a manner related to the school's educational  
5           purposes, including, but not limited to, residence halls;  
6           and

7           (2) property within the same reasonably contiguous  
8           geographic area of the school that is owned by the school  
9           but controlled by another person, is used by students, and  
10           supports school purposes, including, but not limited to, a  
11           food or other retail vendor.

12           (b) Unless required by State or federal law or rule, a  
13           school must not perform any of the following actions:

14           (1) Threaten to disclose the actual or perceived  
15           citizenship or immigration status of an employee, a  
16           student, or a person associated with an employee or  
17           student to an external party, including immigration or law  
18           enforcement agencies.

19           (2) Knowingly disclose, without the consent of the  
20           employee or student, anything related to the perceived  
21           citizenship or immigration status of an employee, a  
22           student, or a person associated with an employee or  
23           student to an external party, including immigration or law  
24           enforcement agencies, if the school does not have direct  
25           knowledge of the employee's, student's, or associated  
26           person's actual citizenship or immigration status, subject

1 to the requirements of this subsection.

2 (3) Knowingly disclose, without the consent of the  
3 employee or student, anything related to the actual  
4 citizenship or immigration status of an employee, a  
5 student, or a person associated with an employee or  
6 student to any other person or nongovernmental entity if  
7 the school has direct knowledge of the employee's,  
8 student's, or associated person's actual citizenship or  
9 immigration status, subject to the requirements of this  
10 subsection.

11 (4) Designate immigration status, citizenship, place  
12 of birth, nationality, or national origin as directory  
13 information, as that term is defined by State and federal  
14 law.

15 Nothing in this subsection may be construed to:

16 (A) prohibit a school from complying with all  
17 applicable State and federal laws and rules, including,  
18 but not limited to, Section 214 of Title 8 of the United  
19 States Code;

20 (B) prohibit or restrict a school from sending to or  
21 receiving from the United States Department of Homeland  
22 Security or any other federal, State, or local  
23 governmental entity information regarding the citizenship  
24 or immigration status of an individual under Sections 1373  
25 and 1644 of Title 8 of the United States Code;

26 (C) permit the disclosure of personally identifiable

1 education records, as that term is defined by State or  
2 federal law, or information from those records without  
3 complying with State and federal laws and rules governing  
4 the disclosure of such records or information;

5 (D) prohibit schools from complying with valid  
6 judicial warrants, orders, or subpoenas; or

7 (E) prohibit or restrict a school from disclosing  
8 information necessary to respond to an administrative  
9 complaint or litigation brought against or by the school.

10 (c) A school must develop procedures for reviewing and  
11 authorizing requests from law enforcement agents attempting to  
12 enter a school's campus by January 1, 2026. The procedures  
13 must, at a minimum, include the following:

14 (1) procedures for reviewing and contacting a  
15 designated authorized person, office, or department at the  
16 school or school facility, which person, office, or  
17 department may contact the school's legal counsel, and  
18 procedures for that authorized person, office, or  
19 department or legal counsel to review requests to enter a  
20 school's campus, including judicial warrants or orders,  
21 nonjudicial warrants, and subpoenas;

22 (2) procedures for documenting all interactions with  
23 law enforcement agents while on the school's campus; and

24 (3) procedures for notifying and seeking consent from  
25 an employee or student if a law enforcement agent requests  
26 access to the employee or student for immigration

1 enforcement purposes, unless such consent is prohibited by  
2 a judicial warrant or subpoena.

3 (d) A school must provide information on its website about  
4 who employees and students should contact if a law enforcement  
5 agent seeks to enter the school campus, enters the school  
6 campus, or engages in nonconsensual interactions with members  
7 of the school community, including employees or students, by  
8 January 1, 2026.

9 (e) A school shall adopt a policy governing the creation  
10 of procedures under subsections (b) and (c) by March 1, 2026.

11 (f) The General Assembly finds and declares that this  
12 Section is a State law within the meaning of subsection (d) of  
13 Section 1621 of Title 8 of the United States Code.

14 (g) By January 1, 2026, a school shall provide immigration  
15 enforcement resources on its website to help students and  
16 employees understand their constitutional rights and access  
17 immigration-related guidance. These resources may include, but  
18 are not limited to, a link to [illinoisimmigrationinfo.org](http://illinoisimmigrationinfo.org).  
19 This information shall be posted in a clear and easily  
20 accessible location on the school's primary website.

21 (h) For the purposes of this subsection, "immigration  
22 enforcement activity" includes any arrests or detentions  
23 conducted by agents or officers of the United States  
24 Department of Homeland Security, United States Immigration and  
25 Customs Enforcement, or United States Customs and Border  
26 Protection or any other individual or entity with the power to

1 arrest or detain individuals or manage custody of detained  
2 individuals for the purposes of civil immigration enforcement.

3 By January 1, 2026, a school shall adopt procedures  
4 designed to:

5 (1) determine if an immigration enforcement activity  
6 is occurring or has occurred on the school's campus,  
7 including verification of the first and last name,  
8 employer or agency, and badge number of the lead law  
9 enforcement agent, if possible; and

10 (2) notify the appropriate school-campus unit or area  
11 if the school confirms that immigration enforcement  
12 activity is occurring or has occurred on the school's  
13 campus that, in the judgment of school law enforcement or  
14 the school's public safety office, could adversely impact  
15 school-campus safety or operations.

16 (i) A school may not impede students or employees from  
17 offering, attending, or participating in training on  
18 constitutional rights and immigration-related guidance,  
19 including, but not limited to, attending know-your-rights  
20 training or sharing know-your-rights flyers.

21 (j) Beginning January 1, 2026, any party aggrieved by  
22 conduct that violates subsection (b) or (c) may bring a civil  
23 lawsuit. This lawsuit must be brought no later than 2 years  
24 after the violation of subsection (b) or (c). If the court  
25 finds that a willful violation of subsection (b) or (c) has  
26 occurred, the court may award actual damages. The court, as it



1 deems appropriate, may grant, as relief, a permanent or  
2 preliminary negative or mandatory injunction, temporary  
3 restraining order, or other order.

4 (k) Nothing in this Section may be construed to require an  
5 exhaustion of the administrative complaint process before  
6 civil law remedies may be pursued.

7 (l) Upon a motion, a court shall award reasonable  
8 attorney's fees and costs, including expert witness fees and  
9 other litigation expenses, to a plaintiff who is a prevailing  
10 party in any action brought under subsection (i). In awarding  
11 reasonable attorney's fees, the court shall consider the  
12 degree to which the relief obtained relates to the relief  
13 sought.

14 Section 99. Effective date. This Act takes effect upon  
15 becoming law.