



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB3117

Introduced 2/2/2026, by Sen. Andrew S. Chesney

#### SYNOPSIS AS INTRODUCED:

New Act

5 ILCS 805/Act rep.

15 ILCS 335/11

105 ILCS 5/22-106

110 ILCS 167/18

625 ILCS 5/6-110.3

from Ch. 124, par. 31

Creates the Immigration Enforcement Act. Provides that a State entity, local entity, or law enforcement agency may not adopt or maintain a law, ordinance, resolution, rule, regulation, policy, directive, order, practice, or procedure, formal or informal, written or unwritten, that prohibits or materially restricts the State entity, local entity, or law enforcement agency from complying with or assisting in the enforcement of immigration laws. Includes mandatory duties of law enforcement agencies regarding immigration detainers. Requires a county jail, municipal jail, and the Department of Corrections to enter into an agreement with the U.S. Immigration and Customs Enforcement or other federal agency for temporarily housing persons who are the subject of immigration detainers and for the payment of the costs of housing and detaining those persons. Requires implementation of the Act in a manner consistent with federal laws and regulations governing immigration and discrimination, protecting the civil rights of all persons, and respecting the privileges and immunities of United States citizens. Limits home rule powers by providing that regulation of immigration enforcement is an exclusive power and function of the State. Repeals the Illinois TRUST Act. Makes corresponding changes in the Illinois Identification Card Act, the School Code, the Public Higher Education Act, and the Illinois Vehicle Code. Effective immediately.

LRB104 18865 RLC 32310 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  
5 Immigration Enforcement Act.

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

7 "Immigration detainer is facially sufficient" means: (i)  
8 the federal immigration agency's official form is incomplete  
9 and fails to indicate on its face that the federal immigration  
10 official has probable cause to believe that the person to be  
11 detained is a removable alien under federal immigration law  
12 but is supported by an affidavit, order, or other official  
13 documentation that indicates that the federal immigration  
14 agency has probable cause to believe that the person to be  
15 detained is a removable alien under federal immigration law  
16 and the federal immigration agency supplies with its detention  
17 request a Form I-200 Warrant for Arrest of Alien, a Form I-205  
18 Warrant of Removal/Deportation, a successor warrant, or other  
19 warrant authorized by federal law; or (ii) the federal  
20 immigration agency's official form is complete and indicates  
21 on its face that the federal immigration official has probable  
22 cause to believe that the person to be detained is a removable  
23 alien under federal immigration law.

1 "Law enforcement agency" means any entity with statutory  
2 police powers and the ability to employ individuals authorized  
3 to make arrests, including local and State agencies.

4 "Local entity" means a unit of local government, a school  
5 district, or a community college district.

6 "State entity" means the State of Illinois and all of its  
7 agencies, State universities and colleges, and all corporate  
8 outgrowths of the State.

9 Section 10. Prohibited policies regarding immigration  
10 enforcement. A State entity, local entity, or law enforcement  
11 agency may not adopt or maintain a law, ordinance, resolution,  
12 rule, regulation, policy, directive, order, practice, or  
13 procedure, formal or informal, written or unwritten, that  
14 prohibits or materially restricts the State entity, local  
15 entity, or law enforcement agency from complying with or  
16 assisting in the enforcement of immigration laws. This  
17 includes prohibitions or restrictions on:

18 (1) inquiries into the immigration status of any  
19 person;

20 (2) transmitting, requesting, or receiving information  
21 relating to immigration status, lawful or unlawful, of any  
22 person to or from any federal immigration enforcement  
23 agency;

24 (3) maintaining, archiving, or otherwise storing for  
25 subsequent use information relating to an individual's

1 immigration status;

2 (4) exchanging information relating to immigration  
3 status with another law enforcement agency, local entity,  
4 State entity, or a federal immigration agency;

5 (5) complying with an immigration detainer, including,  
6 but not limited to, refusing to cooperate or comply with a  
7 lawfully issued detainer in the absence of a warrant or  
8 other order directing compliance with or enforcement of  
9 such a detainer;

10 (6) complying with a request from a federal  
11 immigration agency to notify the agency before the release  
12 of an inmate;

13 (7) providing a federal immigration agency with an  
14 inmate's incarceration status or release date;

15 (8) assisting or cooperating with a federal  
16 immigration agency, including by providing enforcement  
17 assistance;

18 (9) participating in any program or agreement  
19 authorized under Section 287 of the federal Immigration  
20 and Nationality Act (8 U.S.C. 1357); or

21 (10) permitting a federal immigration officer to enter  
22 and conduct enforcement activities at a municipal jail,  
23 county jail, or Division of Corrections or rehabilitation  
24 facility involving or related to the enforcement of  
25 federal immigration laws.

1           Section 15. Mandatory duties of law enforcement agencies  
2 regarding immigration detainers.

3           (a) A law enforcement agency that takes initial custody of  
4 a person subject to an immigration detainer shall:

5                 (1) provide notice to the court authorized to grant or  
6 deny the person's release on bail or bond that the person  
7 is subject to an immigration detainer;

8                 (2) record in the person's case file that the person  
9 is subject to an immigration detainer; and

10                (3) upon determining that the immigration detainer is  
11 facially sufficient, comply with the requests made in the  
12 immigration detainer to the extent required by law.

13           (b) A law enforcement agency is not required to perform a  
14 duty imposed by subsection (a) with respect to a person who has  
15 been transferred to the custody of the agency by another law  
16 enforcement agency subject to the requirements of this  
17 Section.

18           (c) A court of competent jurisdiction that receives notice  
19 that a person is subject to an immigration detainer shall  
20 record this information in the court record, regardless of  
21 whether the notice is received before or after a judgment in  
22 the case.

23           Section 20. Mandatory agreements for housing persons  
24 subject to immigration detainers.

25           (a) Each county jail, municipal jail, and the Department

1 of Corrections shall enter into an agreement with a federal  
2 immigration agency for temporarily housing persons who are the  
3 subject of immigration detainers and for the payment of the  
4 costs of housing and detaining those persons.

5 (b) An agreement under this Section must include a  
6 contract with a federal immigration agency for housing or  
7 detaining persons subject to immigration detainers, such as  
8 basic ordering agreements, intergovernmental service  
9 agreements, agreements authorized by Section 287 of the  
10 federal Immigration and Nationality Act (8 U.S.C. 1357),  
11 successor agreements, or other similar agreements authorized  
12 by federal law.

13 Section 25. Implementation; discrimination prohibited.

14 (a) This Act shall be implemented in a manner consistent  
15 with federal laws and regulations governing immigration,  
16 protecting the civil rights of all persons, and respecting the  
17 privileges and immunities of United States citizens.

18 (b) A State entity, local entity, or law enforcement  
19 agency and a person employed by or otherwise under the  
20 direction or control of a State entity, local entity, or law  
21 enforcement agency may not base the entity's, agency's, or  
22 person's actions under this Act on the gender, race, color,  
23 religion, language, national origin, or physical disability of  
24 a person except to the extent authorized by the United States  
25 Constitution, the constitution and laws of this State, or

1 other applicable federal law.

2 Section 30. Home rule. The regulation of immigration  
3 enforcement is an exclusive power and function of the State. A  
4 home rule unit may not regulate immigration enforcement. This  
5 Act is a denial and limitation of home rule powers and  
6 functions under subsection (h) of Section 6 of Article VII of  
7 the Illinois Constitution.

8 (5 ILCS 805/Act rep.)

9 Section 35. The Illinois TRUST Act is repealed.

10 Section 40. The Illinois Identification Card Act is  
11 amended by changing Section 11 as follows:

12 (15 ILCS 335/11) (from Ch. 124, par. 31)

13 Sec. 11. Records.

14 (a) The Secretary may make a search of his records and  
15 furnish information as to whether a person has a current  
16 Standard Illinois Identification Card or an Illinois Person  
17 with a Disability Identification Card then on file, upon  
18 receipt of a written application therefor accompanied with the  
19 prescribed fee. However, the Secretary may not disclose  
20 medical information concerning an individual to any person,  
21 public agency, private agency, corporation or governmental  
22 body unless the individual has submitted a written request for

1 the information or unless the individual has given prior  
2 written consent for the release of the information to a  
3 specific person or entity. This exception shall not apply to:  
4 (1) offices and employees of the Secretary who have a need to  
5 know the medical information in performance of their official  
6 duties, or (2) orders of a court of competent jurisdiction.  
7 When medical information is disclosed by the Secretary in  
8 accordance with the provisions of this Section, no liability  
9 shall rest with the Office of the Secretary of State as the  
10 information is released for informational purposes only.

11 (b) Except as otherwise provided in this Section, the  
12 Secretary may release personally identifying information only  
13 to:

14 (1) officers and employees of the Secretary who have a  
15 need to know that information for issuance of driver's  
16 licenses, permits, or identification cards and  
17 investigation of fraud or misconduct;

18 (2) other governmental agencies for use in their  
19 official governmental functions;

20 (3) law enforcement agencies for a criminal or civil  
21 investigation, except as restricted by subsections (g) and  
22 (h);

23 (3-5) the State Board of Elections as may be required  
24 by an agreement the State Board of Elections has entered  
25 into with a multi-state voter registration list  
26 maintenance system; or

1           (4) any entity that the Secretary has authorized, by  
2           rule.

3           (c) Except as otherwise provided in this Section, the  
4           Secretary may release highly restricted personal information  
5           only to:

6           (1) officers and employees of the Secretary who have a  
7           need to access the information for the issuance of  
8           driver's licenses, permits, or identification cards and  
9           investigation of fraud or misconduct;

10          (2) law enforcement officials for a criminal or civil  
11          law enforcement investigation, except as restricted by  
12          subsections (g) and (h);

13          (3) the State Board of Elections for the purpose of  
14          providing the signature for completion of voter  
15          registration; or

16          (4) any other entity the Secretary has authorized by  
17          rule.

18          (d) Documents required to be submitted with an application  
19          for an identification card to prove the applicant's identity  
20          (name and date of birth), social security number or lack of a  
21          social security number, written signature, residency, and, as  
22          applicable, citizenship and immigration status and country of  
23          citizenship shall be confidential and shall not be disclosed  
24          except to the following persons:

25          (1) the individual to whom the identification card was  
26          issued, upon written request;

1           (2) officers and employees of the Secretary of State  
2           who have a need to have access to the stored images for  
3           purposes of issuing and controlling driver's licenses,  
4           permits, or identification cards and investigation of  
5           fraud or misconduct;

6           (3) law enforcement officials for a civil or criminal  
7           law enforcement investigation, except as restricted by  
8           subsections (g) and (h);

9           (4) other entities that the Secretary may authorize by  
10          rule.

11          (e) The Secretary may not disclose an individual's social  
12          security number or any associated information obtained from  
13          the Social Security Administration without the written request  
14          or consent of the individual except: (i) to officers and  
15          employees of the Secretary who have a need to know the social  
16          security number in the performance of their official duties;  
17          (ii) except as restricted by subsections (g) and (h) to law  
18          enforcement officials for a civil or criminal law enforcement  
19          investigation if an officer of the law enforcement agency has  
20          made a written request to the Secretary specifying the law  
21          enforcement investigation for which the social security number  
22          is being sought; (iii) under a lawful court order signed by a  
23          judge; (iv) to the Illinois Department of Veterans Affairs for  
24          the purpose of confirming veteran status to agencies in other  
25          states responsible for the issuance of state identification  
26          cards for participation in State-to-State verification

1 service; or (v) the last 4 digits to the Illinois State Board  
2 of Elections for purposes of voter registration and as may be  
3 required pursuant to an agreement for a multi-state voter  
4 registration list maintenance system. The Secretary retains  
5 the right to require additional verification regarding the  
6 validity of a request from law enforcement. If social security  
7 information is disclosed by the Secretary in accordance with  
8 this Section, no liability shall rest with the Office of the  
9 Secretary of State or any of its officers or employees, as the  
10 information is released for official purposes only.

11 (f) The Secretary of State shall not provide facial  
12 recognition search services or photographs obtained in the  
13 process of issuing an identification card to any federal,  
14 State, or local law enforcement agency or other governmental  
15 entity for the purpose of enforcing federal immigration laws.  
16 This subsection shall not apply to requests from federal,  
17 State, or local law enforcement agencies or other governmental  
18 entities for facial recognition search services or photographs  
19 obtained in the process of issuing a driver's license or  
20 permit when the purpose of the request relates to criminal  
21 activity other than violations of immigration laws.

22 (g) Notwithstanding any other provision of law, the  
23 Secretary may not release highly restricted personal  
24 information or personally identifying information or disclose  
25 documents described in subsection (d) to any immigration  
26 agent, ~~as defined in Section 10 of the Illinois TRUST Act,~~

1 unless necessary to comply with the following, to the extent  
2 that production of such information or documents is  
3 specifically required:

4 (1) a lawful court order;

5 (2) a judicial warrant signed by a judge appointed  
6 pursuant to Article III of the Constitution of the United  
7 States; or

8 (3) a subpoena for individual records issued by a  
9 federal or State court.

10 When responding to such a court order, warrant, or  
11 subpoena, the Secretary shall disclose only those documents or  
12 information specifically requested. Within 3 business days of  
13 receiving such a court order, warrant, or subpoena, the  
14 Secretary shall send a notification to the individual about  
15 whom such information was requested that a court order,  
16 warrant, or subpoena was received and the identity of the  
17 entity that presented the court order, warrant, or subpoena.

18 As used in this subsection, "immigration agent" means an  
19 agent of the U.S. Immigration and Customs Enforcement, the  
20 U.S. Customs and Border Protection, or any similar or  
21 successor agency.

22 (h) The Secretary shall not enter into or maintain any  
23 agreement regarding the sharing of any highly restricted  
24 personal information or personally identifying information or  
25 documents described in subsection (d) unless all other parties  
26 to such agreement certify that the information obtained will

1 not be used for civil immigration purposes or knowingly  
2 disseminated to any third party for any purpose related to  
3 civil immigration enforcement.

4 (Source: P.A. 103-210, eff. 7-1-24; 104-234, eff. 8-15-25.)

5 Section 45. The School Code is amended by changing Section  
6 22-105, as added by Public Act 104-288, as follows:

7 (105 ILCS 5/22-106)

8 Sec. 22-106 ~~22-105~~. Denial of free education prohibited.

9 (a) The purpose of this Section is to secure the right of  
10 every child to equal access to a free public education and a  
11 school that is safe from intimidation and fear, consistent  
12 with the landmark United States Supreme Court decision in  
13 Plyler v. Doe, 457 U.S. 202 (1982), as in effect on January 1,  
14 2025, which held that it is unconstitutional for states to  
15 deny children a free public education based on immigration  
16 status. In their efforts to promote the right to educational  
17 equality established in Plyler, schools must take steps to  
18 protect the integrity of school learning environments for all  
19 children, so that no parent is discouraged from sending and no  
20 child is discouraged from attending school, including from the  
21 threat of immigration enforcement or other law enforcement  
22 activity on a school campus.

23 (b) As used in this Section:

24 "Citizenship or immigration status" means all matters

1 regarding citizenship of the United States or any other  
2 country or the authority or lack thereof to reside in or  
3 otherwise to be present in the United States, including an  
4 individual's nationality and country of citizenship.

5 "Law enforcement agent" means an agent of federal, State,  
6 or local law enforcement authorized with the power to arrest  
7 or detain individuals or manage the custody of detained  
8 individuals for a law enforcement purpose, including civil  
9 immigration enforcement. "Law enforcement agent" does not  
10 include a school resource officer as defined in Section  
11 10-20.68 of this Code.

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

24 "Prevailing party" includes any party:

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

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

3           (3) whose pursuit of a non-frivolous claim was a  
4 catalyst for a unilateral change in position by the  
5 opposing party relative to the relief sought.

6           "School" means every public school, school district, and  
7 governing body, including a special charter district or  
8 charter school, organized under this Code, and its agents,  
9 including a contracted party.

10          (c) No child may be denied a free public education through  
11 secondary school while in this State based on the child's  
12 perceived or actual immigration status or the child's parent's  
13 or guardian's perceived or actual citizenship or immigration  
14 status.

15           (1) A school must not exclude a child from  
16 participation in or deny a child the benefits of any  
17 program or activity on the grounds of that child's  
18 perceived or actual immigration status or the child's  
19 parent's or guardian's actual or perceived citizenship or  
20 immigration status.

21           (2) A school must not use policies or procedures or  
22 engage in practices that have the effect of excluding a  
23 child from participation in or denying the benefits of any  
24 program or activity or the effect of excluding  
25 participation of the child's parent or guardian from  
26 parental engagement activities or programs because of the

1 child's perceived or actual immigration status or the  
2 child's parent's or guardian's actual or perceived  
3 immigration status. These policies, procedures, and  
4 practices include:

5 (A) requesting or collecting information or  
6 documentation from a student or the student's parent  
7 or guardian about citizenship or immigration status  
8 unless required by State or federal law; and

9 (B) designating immigration status, citizenship,  
10 place of birth, nationality, or national origin as  
11 directory information, as that term is defined by  
12 federal and State law.

13 (3) A school must not perform any of the following  
14 actions:

15 (A) Threaten to disclose anything related to the  
16 actual or perceived citizenship or immigration status  
17 of a child or a person associated with the child to any  
18 other person or entity or an immigration or law  
19 enforcement agency.

20 (B) Disclose anything related to the perceived  
21 citizenship or immigration status of a child or a  
22 person associated with the child to any other person  
23 or entity or an immigration or law enforcement agency  
24 if the school does not have direct knowledge of the  
25 child's or associated person's actual citizenship or  
26 immigration status, subject to the requirements of

1           this paragraph (3).

2           (C) Disclose anything related to the actual  
3           citizenship or immigration status of a child or a  
4           person associated with the child to any other person  
5           or nongovernmental entity if the school has direct  
6           knowledge of the child's or associated person's actual  
7           citizenship or immigration status, subject to the  
8           requirements of this paragraph (3).

9           Nothing in subparagraphs (B) and (C) of this paragraph  
10          (3) may be construed to permit the disclosure of student  
11          records or information without complying with State and  
12          federal requirements governing the disclosure of such  
13          records or information. Subparagraphs (B) and (C) of this  
14          paragraph (3) may not be construed to prohibit or restrict  
15          an entity from sending to or receiving from the United  
16          States Department of Homeland Security or any other  
17          federal, State, or local governmental entity information  
18          regarding the citizenship or immigration status of an  
19          individual under Sections 1373 and 1644 of Title 8 of the  
20          United States Code.

21          (4) A school must develop procedures for reviewing and  
22          authorizing requests from law enforcement agents  
23          attempting to enter a school or school facility by July 1,  
24          2026. The procedures must comply with the requirements of  
25          paragraph (2) of this subsection (c), and, at a minimum,  
26          include the following:

1 (A) procedures for reviewing and contacting a  
2 designated authorized person at the school or school  
3 facility and the district superintendent's office or  
4 school administrative office, who may contact the  
5 school's legal counsel, and procedures for that  
6 authorized person or legal counsel to review requests  
7 to enter a school or school facility, including  
8 judicial warrants, nonjudicial warrants, and  
9 subpoenas;

10 (B) procedures for monitoring or accompanying and  
11 procedures for documenting all interactions with law  
12 enforcement agents while on the school's premises; and

13 (C) procedures for notifying and seeking consent  
14 from a student's parents or guardian or from the  
15 student if the student is 18 years old or older or  
16 emancipated if a law enforcement agent requests access  
17 to a student for immigration enforcement purposes,  
18 unless such access is in compliance with a judicial  
19 warrant or subpoena that restricts the disclosure of  
20 the information to the student's parent or guardian.

21 This paragraph (4) is subject to subsection (c) of  
22 Section 22-88 of this Code.

23 (d) A school shall adopt a policy for complying with  
24 paragraphs (1), (2), (3), and (4) of subsection (c) by July 1,  
25 2026.

26 (e) Beginning July 1, 2026, any party aggrieved by conduct

1 that violates subsection (c) may bring a civil lawsuit. This  
2 lawsuit must be brought no later than 2 years after the  
3 violation of subsection (c). If the court finds that a willful  
4 violation of paragraph (1), (2), or (3) of subsection (c) has  
5 occurred, the court may award actual damages. The court, as it  
6 deems appropriate, may grant, as relief, any permanent or  
7 preliminary negative or mandatory injunction, temporary  
8 restraining order, or other order.

9 (f) Nothing in this Section may be construed to require an  
10 exhaustion of the administrative complaint process before  
11 civil law remedies may be pursued.

12 (g) Upon a motion, a court shall award reasonable  
13 attorney's fees and costs, including expert witness fees and  
14 other litigation expenses, to a plaintiff who is a prevailing  
15 party in any action brought under subsection (c). In awarding  
16 reasonable attorney's fees, the court shall consider the  
17 degree to which the relief obtained relates to the relief  
18 sought.

19 (h) The General Assembly finds and declares that this  
20 Section is a State law within the meaning of subsection (d) of  
21 Section 1621 of Title 8 of the United States Code.

22 (Source: P.A. 104-288, eff. 1-1-26; revised 10-27-25.)

23 Section 50. The Public Higher Education Act is amended by  
24 changing Section 18 as follows:

1 (110 ILCS 167/18)

2 Sec. 18. Immigration status and immigration enforcement.

3 (a) As used in this Section:

4 "Citizenship or immigration status" means all matters  
5 regarding citizenship of the United States or any other  
6 country or the authority or lack thereof to reside in or  
7 otherwise to be present in the United States, including an  
8 individual's nationality, country of citizenship, or status as  
9 an international student.

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

16 "Law enforcement agent" means an agent of federal, State,  
17 or local law enforcement authorized with the power to arrest  
18 or detain individuals, or manage the custody of detained  
19 individuals, for civil immigration enforcement. "Law  
20 enforcement agent" does not include an agent of a school's  
21 police department.

22 "Nonjudicial warrant" means a warrant issued by a federal,  
23 State, or local governmental agency authorized with the power  
24 to arrest or detain individuals or manage the custody of  
25 detained individuals for any law enforcement purpose,  
26 including civil immigration enforcement. "Nonjudicial warrant"

1 includes an immigration detainer or civil immigration warrant  
2 ~~as defined in the Illinois TRUST Act.~~ "Nonjudicial warrant"  
3 does not include a criminal warrant issued upon a judicial  
4 determination of probable cause, in compliance with the  
5 requirements of the Fourth Amendment to the United States  
6 Constitution and Section 6 of Article I of the Illinois  
7 Constitution.

8 "Prevailing party" includes any party:

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

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

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

16 "School" means a public institution of higher education as  
17 defined in Section 5.

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

19 (1) any building or property owned or controlled by a  
20 school within the same reasonably contiguous geographic  
21 area of the school and used by the school in direct support  
22 of or in a manner related to the school's educational  
23 purposes, including, but not limited to, residence halls;  
24 and

25 (2) property within the same reasonably contiguous  
26 geographic area of the school that is owned by the school

1 but controlled by another person, is used by students, and  
2 supports school purposes, including, but not limited to, a  
3 food or other retail vendor.

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

6 (1) Threaten to disclose the actual or perceived  
7 citizenship or immigration status of an employee, a  
8 student, or a person associated with an employee or  
9 student to an external party, including immigration or law  
10 enforcement agencies.

11 (2) Knowingly disclose, without the consent of the  
12 employee or student, anything related to the perceived  
13 citizenship or immigration status of an employee, a  
14 student, or a person associated with an employee or  
15 student to an external party, including immigration or law  
16 enforcement agencies, if the school does not have direct  
17 knowledge of the employee's, student's, or associated  
18 person's actual citizenship or immigration status, subject  
19 to the requirements of this subsection.

20 (3) Knowingly disclose, without the consent of the  
21 employee or student, anything related to the actual  
22 citizenship or immigration status of an employee, a  
23 student, or a person associated with an employee or  
24 student to any other person or nongovernmental entity if  
25 the school has direct knowledge of the employee's,  
26 student's, or associated person's actual citizenship or

1 immigration status, subject to the requirements of this  
2 subsection.

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

7 Nothing in this subsection may be construed to:

8 (A) prohibit a school from complying with all  
9 applicable State and federal laws and rules, including,  
10 but not limited to, 8 U.S.C. 214;

11 (B) prohibit or restrict a school from sending to or  
12 receiving from the United States Department of Homeland  
13 Security or any other federal, State, or local  
14 governmental entity information regarding the citizenship  
15 or immigration status of an individual under Sections 1373  
16 and 1644 of Title 8 of the United States Code;

17 (C) permit the disclosure of personally identifiable  
18 education records, as that term is defined by State or  
19 federal law, or information from those records without  
20 complying with State and federal laws and rules governing  
21 the disclosure of such records or information;

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

24 (E) prohibit or restrict a school from disclosing  
25 information necessary to respond to an administrative  
26 complaint or litigation brought against or by the school.

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

5 (1) procedures for reviewing and contacting a  
6 designated authorized person, office, or department at the  
7 school or school facility, which person, office, or  
8 department may contact the school's legal counsel, and  
9 procedures for that authorized person, office, or  
10 department or legal counsel to review requests to enter a  
11 school's campus, including judicial warrants or orders,  
12 nonjudicial warrants, and subpoenas;

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

15 (3) procedures for notifying and seeking consent from  
16 an employee or student if a law enforcement agent requests  
17 access to the employee or student for immigration  
18 enforcement purposes, unless such consent is prohibited by  
19 a judicial warrant or subpoena.

20 (d) A school must provide information on its website about  
21 who employees and students should contact if a law enforcement  
22 agent seeks to enter the school campus, enters the school  
23 campus, or engages in nonconsensual interactions with members  
24 of the school community, including employees or students, by  
25 January 1, 2026.

26 (e) A school shall submit to either the Illinois Community

1 College Board or the Illinois Board of Higher Education, as  
2 applicable, a copy of the procedures developed to implement  
3 subsections (b) and (c). The Illinois Community College Board  
4 and the Illinois Board of Higher Education shall submit to the  
5 General Assembly a report compiling the procedures received  
6 from each school under this subsection (e) by July 1, 2026.

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

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

17 (h) For the purposes of this subsection, "immigration  
18 enforcement activity" includes any arrests or detentions  
19 conducted by agents or officers of the United States  
20 Department of Homeland Security, United States Immigration and  
21 Customs Enforcement, or United States Customs and Border  
22 Protection or any other individual or entity with the power to  
23 arrest or detain individuals or manage custody of detained  
24 individuals for the purposes of civil immigration enforcement.

25 By January 1, 2026, a school shall adopt procedures  
26 designed to:

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

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

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

17          (j) Beginning January 1, 2026, any party aggrieved by  
18          conduct that violates subsection (b) may bring a civil  
19          lawsuit. This lawsuit must be brought no later than 2 years  
20          after the violation of subsection (b) or 2 years from the date  
21          the aggrieved party becomes aware of the violation of  
22          subsection (b), whichever is later. If the court finds that a  
23          willful violation of subsection (b) has occurred, the court  
24          may award actual damages. The court, as it deems appropriate,  
25          may grant, as relief, a permanent or preliminary negative or  
26          mandatory injunction, temporary restraining order, or other

1 order.

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

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

12 (Source: P.A. 104-440, eff. 12-9-25.)

13 Section 55. The Illinois Vehicle Code is amended by  
14 changing Section 6-110.3 as follows:

15 (625 ILCS 5/6-110.3)

16 Sec. 6-110.3. Restrictions on use of information for  
17 certain purposes.

18 (a) Notwithstanding any other provision of law, the  
19 Secretary may not release or make accessible in any manner any  
20 highly restricted personal information as defined in Section  
21 1-125.9 or personally identifying information as defined in  
22 Section 1-159.2, provide images, photos, or facial recognition  
23 services as described in Section 6-110.1, or disclose  
24 documents as described in Section 6-110.2 to any immigration

1 agent ~~as defined in Section 10 of the Illinois TRUST Act,~~  
2 unless necessary to comply with the following, to the extent  
3 that production of such information or documents is  
4 specifically required:

5 (1) a lawful court order;

6 (2) a judicial warrant signed by a judge appointed  
7 pursuant to Article III of the Constitution of the United  
8 States; or

9 (3) a subpoena for individual records issued by a  
10 federal or State court.

11 When responding to such a court order, warrant, or  
12 subpoena, the Secretary shall disclose only those documents or  
13 information specifically requested. Within 3 business days of  
14 receiving such a court order, warrant, or subpoena, the  
15 Secretary shall send a notification to the individual about  
16 whom such information was requested that a court order,  
17 warrant, or subpoena was received and the identity of the  
18 entity that presented the court order, warrant, or subpoena.

19 As used in this subsection, "immigration agent" means an  
20 agent of the U.S. Immigration and Customs Enforcement, the  
21 U.S. Customs and Border Protection, or any similar or  
22 successor agency.

23 (b) The Secretary shall not enter into or maintain any  
24 agreement regarding the sharing of any highly restricted  
25 personal information as defined in Section 1-125.9, personally  
26 identifying information as defined in Section 1-159.2, images

1 or photos described in Section 6-110.1, or documents described  
2 in Section 6-110.2 unless all other parties to such agreement  
3 certify that the information obtained will not be used for  
4 civil immigration purposes or knowingly disseminated to any  
5 third party for any purpose related to civil immigration  
6 enforcement.

7 (Source: P.A. 103-210, eff. 7-1-24.)

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.