

AN ACT concerning civil law.

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

Section 5. The Code of Civil Procedure is amended by adding Part 29 to Article VIII as follows:

(735 ILCS 5/Art. VIII Pt. 29 heading new)

Part 29. Immigration Status

(735 ILCS 5/8-2901 new)

Sec. 8-2901. Admissibility of evidence; immigration status.

(a) Except as provided in subsection (b), evidence related to a person's immigration status is not admissible in any civil proceeding.

(b) Evidence otherwise inadmissible under this Act is admissible if:

(1) it is essential to prove an element of a claim or an affirmative defense;

(2) it is offered to prove an interest or bias of a witness, if it does not cause confusion of the issues or mislead the trier of fact, and the probative value of the evidence outweighs its prejudicial nature; or

(3) a person or his or her attorney voluntarily reveals

his or her immigration status to the court.

(c) A party intending to offer evidence relating to a person's immigration status shall file a written motion at least 14 days before a hearing or a trial specifically describing the evidence and stating the purpose for which it is offered. A court, for good cause, may require a different time for filing or permit filing during trial.

Upon receipt of the motion and notice to all parties, the court shall conduct an in camera hearing, with counsel present, limited to review of the probative value of the person's immigration status to the case. If the court finds that the evidence relating to a person's immigration status meets the criteria set forth in paragraph (1), (2), or (3) of subsection (b), the court shall make findings of fact and conclusions of law regarding the permitted use of the evidence.

The motion, related papers, and the record of the hearing shall be sealed and remain under seal unless the court orders otherwise.

(d) A person may not, with the intent to deter any person or witness from testifying freely, fully, and truthfully to any matter before trial or in any court or before a grand jury, administrative agency, or any other State or local governmental unit, threaten to or actually disclose, directly or indirectly, a person's or witness's immigration status to any entity or any immigration or law enforcement agency. A person who violates this subsection commits a Class C misdemeanor.