Illinois Immigration Laws 2026

1. Limits on Immigration Enforcement in Public & Community Spaces

- Restricts civil immigration enforcement arrests (e.g., by ICE) in sensitive public settings like courthouses, hospitals, schools, and licensed child care centers without a judicial warrant or proper legal authority.
- Requires hospitals and day care centers to implement written policies about interactions with law enforcement and how they protect patient/family privacy.
- Bans sharing or disclosing a person's actual or perceived immigration status by covered institutions unless required by law.
- Allows individuals whose rights are violated during immigration enforcement actions to bring civil lawsuits and seek damages.

Note: The U.S. Department of Justice has filed a lawsuit challenging some of these provisions as conflicting with federal enforcement authority.

2. Right to Education Regardless of Immigration Status

- Public schools cannot deny a child access to free K-12 public education or participation in extracurricular programs based on the child's or parents' actual or perceived immigration status.
- Schools are restricted from collecting or disclosing immigration status information about students or their families unless required by federal/state law.
- Schools must adopt procedures to manage law enforcement requests to enter campuses and must train staff on these policies by mid-2026.

3. Higher Education & Student Privacy Protections

- Public colleges and universities cannot disclose or threaten to disclose immigration status of students, employees, or others associated with them unless required by law.
- Universities must post immigration enforcement resource information on their websites to help members of the campus community understand their constitutional rights by Jan. 1, 2026.

4. Expanded Access to State Financial Aid

- Illinois now allows undocumented students (and others regardless of immigration status) to apply for state scholarships, grants, and tuition waivers at public colleges and universities under the same residency and eligibility criteria as other residents.