



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 76 be amended to read as follows:

- 1 Page 5, delete lines 17 through 18, begin a new paragraph and
- 2 insert:
- 3 **"(b) An individual who is the subject of an immigration detainer**
- 4 **request may challenge the immigration detainer request by**
- 5 **claiming that:**
- 6 **(1) the individual has been misidentified and the correct**
- 7 **subject of the immigration detainer request is not the**
- 8 **individual; or**
- 9 **(2) the individual is a:**
- 10 **(A) citizen of the United States; or**
- 11 **(B) permanent legal resident;**
- 12 **and is not subject to removal.**
- 13 **After an individual makes either of these claims,"**
- 14 Page 5, line 19, delete "passport or a birth certificate issued in the
- 15 United States,".
- 16 Page 5, line 21, after "individual" and insert **"has been**
- 17 **misidentified,"**.
- 18 Page 5, line 22, delete "States." and insert **"States, or a permanent**
- 19 **legal resident."**.
- 20 Page 5, delete lines 23 through 26, begin a new paragraph and
- 21 insert:

1 **"(c) An individual may file an action against a government body**
2 **and an employee of the government body, in the circuit court of the**
3 **county in which the government body is located, if the individual**
4 **claims the government body or the employee of a government**
5 **body:**
6 **(1) misidentified the individual; or**
7 **(2) refuses to release the individual despite the individual**
8 **being a:**
9 **(A) citizen of the United States; or**
10 **(B) permanent legal resident;**
11 **under subsection (b).**
12 **(d) The circuit court must respond to an action under subsection**
13 **(c) within three (3) days.**
14 **(e) If a circuit court determines that a government body or an**
15 **employee of a government body:**
16 **(1) misidentified the individual; or**
17 **(2) refuses to release the individual despite the individual**
18 **being a:**
19 **(A) citizen of the United States; or**
20 **(B) permanent legal resident;**
21 **the circuit court shall order, notwithstanding IC 34-13-3-3(a)(8),**
22 **the government body or employee of a government body to pay**
23 **damages to the individual in the amount of ten thousand dollars**
24 **(\$10,000)."**

(Reference is to ESB 76 as printed February 3, 2026.)

Representative Jackson C