**Section 2905.15 Permanent Residence Under Color of Law**

a) A noncitizen is considered permanently residing in the United States under color of law if the individual's presence in this country is presumptively legal under federal law (including 8 U.S.C. 1157, 8 U.S.C. 1158, 8 U.S.C. 1182, and 8 CFR 101.2).

b) The mere fact that a particular individual, group or class of individuals is temporarily not subject to deportation does not mean that the individual or members of that group or class are permanently residing in the United States under color of law. In these circumstances, in order to establish that the individual is permanently residing in the United States under color of law, the individual or group or class member must show that the Immigration and Naturalization Service (INS) or the U.S. Citizenship and Immigration Services (USCIS) has provided written notification that the individual may remain in the United States for an indefinite period of time.

(Source: Amended at 48 Ill. Reg. 5973, effective April 3, 2024)