



Rep. John Connor

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10000HB4348ham001

LRB100 17440 SLF 34464 a

1 AMENDMENT TO HOUSE BILL 4348

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4348 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Missing Persons Identification Act is  
5 amended by changing Section 20 as follows:

6 (50 ILCS 722/20)

7 Sec. 20. Unidentified persons or human remains  
8 identification responsibilities.

9 (a) In this Section, "assisting law enforcement agency"  
10 means a local law enforcement agency responsible for the  
11 jurisdiction in which the human remains were found or any other  
12 law enforcement agency assisting with the investigation or  
13 identification efforts. If the official with custody of human  
14 remains is not a coroner or medical examiner, the official  
15 shall immediately notify the coroner or medical examiner of the  
16 county in which the remains were found. The coroner or medical

1 examiner shall go to the scene and take charge of the remains.

2 (b) Notwithstanding any other action deemed appropriate  
3 for the handling of the human remains, the medical examiner or  
4 coroner, with the help of the assisting law enforcement agency,  
5 shall make reasonable attempts to promptly identify human  
6 remains. These actions may include but are not limited to  
7 obtaining:

8 (1) photographs of the human remains (prior to an  
9 autopsy);

10 (2) dental or skeletal X-rays;

11 (3) photographs of items found with the human remains;

12 (4) fingerprints from the remains, if possible;

13 (5) samples of tissue suitable for DNA typing, if  
14 possible;

15 (6) samples of whole bone or hair suitable for DNA  
16 typing, or both;

17 (7) any other information that may support  
18 identification efforts.

19 (c) No medical examiner or coroner or any other person  
20 shall dispose of, or engage in actions that will materially  
21 affect the unidentified human remains before the medical  
22 examiner or coroner obtains:

23 (1) samples suitable for DNA identification,  
24 archiving;

25 (2) photographs of the unidentified person or human  
26 remains; and

1           (3) all other appropriate steps for identification  
2           have been exhausted.

3           (d) Cremation of unidentified human remains is prohibited.

4           (e) The medical examiner or coroner or the Department of  
5           State Police shall make reasonable efforts to obtain prompt DNA  
6           analysis of biological samples if the human remains have not  
7           been identified by other means within 30 days.

8           (f) The medical examiner or coroner or the Department of  
9           State Police shall seek support from appropriate State and  
10          federal agencies for human remains identification efforts.  
11          This support may include, but is not limited to, available  
12          mitochondrial or nuclear DNA testing, federal grants for DNA  
13          testing, or federal grants for crime laboratory or medical  
14          examiner or coroner's office improvement.

15          (g) The medical examiner or coroner with the help of the  
16          assisting law enforcement agency ~~Department of State Police~~  
17          shall promptly enter information in federal and State databases  
18          that may aid in the identification of human remains.  
19          Information shall be entered into federal databases as follows:

20                 (1) information for the National Crime Information  
21                 Center shall be entered within 72 hours;

22                 (2) DNA profiles and information shall be entered into  
23                 the National DNA Index System (NDIS) within 5 business days  
24                 after the completion of the DNA analysis and procedures  
25                 necessary for the entry of the DNA profile; ~~and~~

26                 (3) information concerning the identification of human

1 remains shall be entered into the ~~sought by~~ National  
2 Missing and Unidentified Persons System created by the  
3 United States Department of Justice (NamUs) ~~the Violent~~  
4 Criminal Apprehension Program database shall be entered as  
5 soon as practicable; and~~.~~

6 (4) information concerning missing persons shall be  
7 entered into the National Missing and Unidentified Persons  
8 System created by the United States Department of Justice  
9 (NamUs) after 30 days.

10 (h) (Blank). ~~If the Department of State Police does not~~  
11 ~~input the data directly into the federal databases, the~~  
12 ~~Department of State Police shall consult with the medical~~  
13 ~~examiner or coroner's office to ensure appropriate training of~~  
14 ~~the data entry personnel and the establishment of a quality~~  
15 ~~assurance protocol for ensuring the ongoing quality of data~~  
16 ~~entered in the federal and State databases.~~

17 (i) Nothing in this Act shall be interpreted to preclude  
18 any medical examiner or coroner's office, the Department of  
19 State Police, or a local law enforcement agency from pursuing  
20 other efforts to identify unidentified human remains including  
21 efforts to publicize information, descriptions, or photographs  
22 that may aid in the identification of the unidentified remains,  
23 allow family members to identify the missing person, and seek  
24 to protect the dignity of the missing person.

25 (Source: P.A. 95-192, eff. 8-16-07.)"