

**103RD GENERAL ASSEMBLY****State of Illinois****2023 and 2024****SB3948**

Introduced 5/8/2024, by Sen. Michael E. Hastings

**SYNOPSIS AS INTRODUCED:**

See Index

Amends the Missing Persons Identification Act. Removes a provision allowing a law enforcement agency to attempt to obtain a DNA sample from the missing person or a DNA reference sample created from family members' DNA samples for submission before 30 days after acceptance of a report. Provides that a law enforcement agency may not establish or maintain a policy that requires the observance of any waiting period before accepting a missing person report. Removes provisions prohibiting refusal of acceptance of missing persons reports based on lack of personal knowledge or for any other reason. Adds provisions about multiple reports for the same missing person. Requires a law enforcement agency to notify a person responsible for the missing person's welfare, or other specified individuals, about specified efforts to locate a missing person. Provides that, if a missing person remains missing for 30 days after the date of report the law enforcement agency shall immediately (rather than may) generate a report of the missing person within the National Missing and Unidentified Persons System, and the law enforcement agency shall (rather than may) attempt to obtain specified information and materials that have not been received. Modifies the information and materials are required to attempted to obtain. Modifies the definition of "high-risk missing person". Upon receipt of a missing person report (rather than immediately), requires the responding local law enforcement agency to enter all collected information relating to the missing person case in the Law Enforcement Agencies Data System and the National Crime Information Center. Makes other changes to the reporting requirements. Modifies requirements for submission of fingerprints from unidentified remains for analysis as well as other requirements relating identified human remains. Provides that an assisting law enforcement agency, medical examiner, coroner, and the Illinois State Police may not close an unidentified person case until the individual has been identified and must keep the case active. Requires the coroner, medical examiner, or assisting law enforcement agency to obtain a biological (rather than DNA) sample from any individual whose remains are not identifiable, and modifies how the sample may be analyzed and labeled. Makes other changes.

LRB103 40607 AWJ 73246 b

**A BILL FOR**

1 AN ACT concerning government.

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

4 Section 5. The Missing Persons Identification Act is  
5 amended by changing Sections 5, 10, 20, and 25 as follows:

6 (50 ILCS 722/5)

7 Sec. 5. Missing person reports.

8 (a) Report acceptance. All law enforcement agencies shall  
9 accept without delay any report of a missing person. No law  
10 enforcement agency shall establish or maintain any policy that  
11 requires the observance of any waiting period before accepting  
12 a missing person report and may attempt to obtain a DNA sample  
13 from the missing person or a DNA reference sample created from  
14 family members' DNA samples for submission under paragraph (1)  
15 of subsection (c) of Section 10. Acceptance of a missing  
16 person report filed in person may not be refused on any ground.  
17 No law enforcement agency may refuse to accept a missing  
18 person report:

19 (1) on the basis that the missing person is an adult;

20 (2) on the basis that the circumstances do not  
21 indicate foul play;

22 (3) on the basis that the person has been missing for a  
23 short period of time;

1 (4) on the basis that the person has been missing a  
2 long period of time;

3 (5) on the basis that there is no indication that the  
4 missing person was in the jurisdiction served by the law  
5 enforcement agency at the time of the disappearance;

6 (6) on the basis that the circumstances suggest that  
7 the disappearance may be voluntary;

8 (7) (blank); ~~on the basis that the reporting~~  
9 ~~individual does not have personal knowledge of the facts;~~

10 (8) on the basis that the reporting individual cannot  
11 provide all of the information requested by the law  
12 enforcement agency;

13 (9) on the basis that the reporting individual lacks a  
14 familial or other relationship with the missing person; or

15 (9-5) on the basis of the missing person's mental  
16 state or medical condition. ~~or~~

17 ~~(10) for any other reason.~~

18 (a-5) Multiple reports for same missing person. If the law  
19 enforcement agency learns through investigation that a missing  
20 person report has been filed by another law enforcement agency  
21 for the same missing person and is under active investigation  
22 by that agency and a missing person entry is active in the Law  
23 Enforcement Agencies Data System (LEADS), then the law  
24 enforcement agency may not draft an additional missing person  
25 report but shall draft an informational report detailing the  
26 interview of the reporting individual. The informational

1 report shall be forwarded to the original law enforcement  
2 agency handling the missing person case without delay.

3 (b) Manner of reporting. All law enforcement agencies  
4 shall accept missing person reports in person. Law enforcement  
5 agencies are encouraged to accept reports by phone or by  
6 electronic or other media to the extent that such reporting is  
7 consistent with law enforcement policies or practices.

8 (c) Contents of report. In accepting a report of a missing  
9 person, the law enforcement agency shall attempt to gather  
10 relevant information relating to the disappearance. The law  
11 enforcement agency shall attempt to gather at the time of the  
12 report information that shall include, but shall not be  
13 limited to, the following:

14 (1) the name of the missing person, including  
15 alternative names used;

16 (2) the missing person's date of birth;

17 (3) the missing person's identifying marks, such as  
18 birthmarks, moles, tattoos, and scars;

19 (4) the missing person's height and weight;

20 (5) the missing person's gender;

21 (6) the missing person's race;

22 (7) the missing person's current hair color and true  
23 or natural hair color;

24 (8) the missing person's eye color;

25 (9) the missing person's prosthetics, surgical  
26 implants, or cosmetic implants;

- 1 (10) the missing person's physical anomalies;
- 2 (11) the missing person's blood type, if known;
- 3 (12) the missing person's driver's license number, if  
4 known;
- 5 (13) the missing person's social security number, if  
6 known;
- 7 (14) a photograph of the missing person; recent  
8 photographs are preferable and the agency is encouraged to  
9 attempt to ascertain the approximate date the photograph  
10 was taken;
- 11 (15) a description of the clothing the missing person  
12 was believed to be wearing;
- 13 (16) a description of items that might be with the  
14 missing person, such as jewelry, accessories, and shoes or  
15 boots;
- 16 (17) information on the missing person's electronic  
17 communications devices, such as cellular telephone numbers  
18 and e-mail addresses;
- 19 (18) the reasons why the reporting individual believes  
20 that the person is missing;
- 21 (19) the name and location of the missing person's  
22 school or employer, if known;
- 23 (20) the name and location of the missing person's  
24 dentist or primary care physician or provider, or both, if  
25 known;
- 26 (21) any circumstances that may indicate that the

1 disappearance was not voluntary;

2 (22) any circumstances that may indicate that the  
3 missing person may be at risk of injury or death;

4 (23) a description of the possible means of  
5 transportation of the missing person, including make,  
6 model, color, license number, and Vehicle Identification  
7 Number of a vehicle;

8 (24) any identifying information about a known or  
9 possible abductor or person last seen with the missing  
10 person, or both, including:

11 (A) name;

12 (B) a physical description;

13 (C) date of birth;

14 (D) identifying marks;

15 (E) the description of possible means of  
16 transportation, including make, model, color, license  
17 number, and Vehicle Identification Number of a  
18 vehicle;

19 (F) known associates;

20 (25) any other information that may aid in locating  
21 the missing person; and

22 (26) the date of last contact.

23 (d) Notification and follow up action.

24 (1) Notification. The law enforcement agency shall  
25 notify the person making the report, a family member, a  
26 person responsible for the missing person's welfare, or

1 other person in a position to assist the law enforcement  
2 agency in its efforts to locate the missing person of the  
3 following:

4 (A) general information about the handling of the  
5 missing person case or about intended efforts in the  
6 case to the extent that the law enforcement agency  
7 determines that disclosure would not adversely affect  
8 its ability to locate or protect the missing person or  
9 to apprehend or prosecute any person criminally  
10 involved in the disappearance;

11 (B) that the person should promptly contact the  
12 law enforcement agency if the missing person remains  
13 missing in order to provide additional information and  
14 materials that will aid in locating the missing person  
15 such as the missing person's credit cards, debit  
16 cards, banking information, and cellular telephone  
17 records; and

18 (C) that any DNA samples provided for the missing  
19 person case are provided on a voluntary basis and will  
20 be used solely to help locate or identify the missing  
21 person and will not be used for any other purpose.

22 The law enforcement agency, upon acceptance of a  
23 missing person report, shall inform the reporting citizen  
24 of one of 2 resources, based upon the age of the missing  
25 person. If the missing person is under 18 years of age,  
26 contact information for the National Center for Missing

1 and Exploited Children shall be given. If the missing  
2 person is age 18 or older, contact information for the  
3 National Missing and Unidentified Persons System (NamUs)  
4 organization shall be given.

5 The law enforcement agency is encouraged to make  
6 available informational materials, through publications or  
7 electronic or other media, that advise the public about  
8 how the information or materials identified in this  
9 subsection are used to help locate or identify missing  
10 persons.

11 (2) Follow up action. If the ~~person identified in the~~  
12 missing person ~~report~~ remains missing for after 30 days  
13 after the date of the report, but not more than 60 days,  
14 the law enforcement agency shall immediately ~~may~~ generate  
15 a report of the missing person within the National Missing  
16 and Unidentified Persons System (NamUs), and the law  
17 enforcement agency shall ~~may~~ attempt to obtain ~~the~~  
18 additional information and materials that have not been  
19 received, specified below:

20 (A) additional photographs of the missing person  
21 that may aid the investigation or identification of an  
22 unidentified person, including photographs of the  
23 missing person's scars, marks, and tattoos. All  
24 photographs collected by law enforcement of the  
25 missing person shall be added the National Missing and  
26 Unidentified Persons System (NamUs) record. The law



1 enforcement agency is not required to obtain written  
2 authorization before it releases publicly a photograph  
3 that would aid in the investigation or location of the  
4 missing person ~~DNA samples from family members or from~~  
5 ~~the missing person along with any needed~~  
6 ~~documentation, or both, including any consent forms,~~  
7 ~~required for the use of State or federal DNA~~  
8 ~~databases, including, but not limited to, the Local~~  
9 ~~DNA Index System (LDIS), State DNA Index System~~  
10 ~~(SDIS), National DNA Index System (NDIS), and National~~  
11 ~~Missing and Unidentified Persons System (NamUs)~~  
12 ~~partner laboratories;~~

13 (B) fingerprint records of the missing person from  
14 a competent authority or from a criminal history  
15 database, if available. The missing person's  
16 fingerprint record shall be added to the missing  
17 person entry in the Law Enforcement Agencies Data  
18 System (LEADS) and the National Missing and  
19 Unidentified Persons System (NamUs) on the 30th day  
20 after the date of the report. The fingerprint records  
21 may be used for direct comparison to the fingerprint  
22 records of unidentified persons only ~~an authorization~~  
23 ~~to release dental or skeletal x-rays of the missing~~  
24 ~~person;~~

25 (C) an authorization to release dental or skeletal  
26 radiographs of the missing person ~~any additional~~

1 ~~photographs of the missing person that may aid the~~  
2 ~~investigation or an identification; the law~~  
3 ~~enforcement agency is not required to obtain written~~  
4 ~~authorization before it releases publicly any~~  
5 ~~photograph that would aid in the investigation or~~  
6 ~~identification of the missing person;~~

7 (D) dental charts and radiographs of the missing  
8 person, if available. The missing person's dental  
9 record shall be added to the missing person entry in  
10 the Law Enforcement Agencies Data System (LEADS) and  
11 the National Missing and Unidentified Persons System  
12 (NamUs) on the 30th day after the date of report. The  
13 dental records may only be used for direct comparison  
14 to the dental records of unidentified persons ~~dental~~  
15 ~~information and x-rays;~~ and

16 (E) biological samples from closely related family  
17 members of the missing person or a biological sample  
18 from the personal item of the missing person, along  
19 with any consent forms, required for the entry of a DNA  
20 profile in the Combined DNA Index System, including,  
21 but not limited to, the Local DNA Index System (LDIS),  
22 State DNA Index System (SDIS), and National DNA Index  
23 System (NDIS) ~~fingerprints.~~

24 (3) Biological samples ~~samples~~ collected for DNA  
25 analysis shall ~~may~~ be submitted to a National Missing and  
26 Unidentified Persons System (NamUs) partner laboratory or

1 other accredited laboratory ~~resource~~ where DNA profiles  
2 are entered into local, State, and national DNA Index  
3 Systems within 90 ~~60~~ days from the date of the report. ~~The~~  
4 Illinois State Police laboratories shall establish  
5 procedures for determining how to prioritize analysis of  
6 the samples relating to missing person cases. All  
7 biological ~~DNA~~ samples and subsequent DNA profiles  
8 obtained in missing person cases from family members of  
9 the missing person or personal items of the missing person  
10 may not be retained after the location or identification  
11 of the remains of the missing person unless there is a  
12 search warrant signed by a court of competent  
13 jurisdiction.

14 (4) This subsection shall not be interpreted to  
15 preclude a law enforcement agency from attempting to  
16 obtain the materials identified in this subsection before  
17 the expiration of the specified periods. ~~30 day period.~~  
18 ~~The responsible law enforcement agency may make a National~~  
19 ~~Missing and Unidentified Persons System (NamUs) report on~~  
20 ~~the missing person within 60 days after the report of the~~  
21 ~~disappearance of the missing person.~~

22 (5) Law enforcement agencies are encouraged to  
23 establish written protocols for the handling of missing  
24 person cases to accomplish the purposes of this Act. Law  
25 enforcement agencies may not close a missing person case  
26 until the missing person has returned or been located,

1 either alive or deceased. Law enforcement agencies shall  
2 keep cases under active investigation until the person is  
3 located or returned. Reasons for closing a missing person  
4 case may not include exhaustion of leads and the life  
5 expectancy of the missing person.

6 (Source: P.A. 101-266, eff. 1-1-21; 102-538, eff. 8-20-21.)

7 (50 ILCS 722/10)

8 Sec. 10. Law enforcement analysis and reporting of missing  
9 person information.

10 (a) Prompt determination and definition of a high-risk  
11 missing person.

12 (1) Definition. "High-risk missing person" means a  
13 person whose whereabouts are not currently known and whose  
14 circumstances indicate that the person may be at risk of  
15 injury or death. The circumstances that indicate that a  
16 person is a high-risk missing person include, but are not  
17 limited to, any of the following:

18 (A) the person is missing as a result of a stranger  
19 abduction;

20 (B) the person is missing under suspicious  
21 circumstances;

22 (C) the person is missing under unknown  
23 circumstances;

24 (D) the person is missing under known dangerous  
25 circumstances;

1 (E) the person is missing more than 30 days;

2 (F) the person has already been designated as a  
3 high-risk missing person by another law enforcement  
4 agency;

5 (G) there is evidence that the person is at risk  
6 because:

7 (i) the person is in need of medical  
8 attention, including but not limited to persons  
9 with dementia-like symptoms, or prescription  
10 medication;

11 (ii) the person does not have a pattern of  
12 running away or disappearing;

13 (iii) the person may have been abducted by a  
14 non-custodial parent;

15 (iv) the person is mentally impaired,  
16 including, but not limited to, a person having a  
17 developmental disability, as defined in Section  
18 1-106 of the Mental Health and Developmental  
19 Disabilities Code, or a person having an  
20 intellectual disability, as defined in Section  
21 1-116 of the Mental Health and Developmental  
22 Disabilities Code;

23 (v) the person is under the age of 21;

24 (vi) the person has been the subject of past  
25 threats or acts of violence;

26 (vii) the person has gone missing ~~eloped~~ from

1 a facility licensed under the Nursing Home Care  
2 Act nursing home;

3 (G-5) the person is a veteran or active duty  
4 member of the United States Armed Forces, the National  
5 Guard, or any reserve component of the United States  
6 Armed Forces who is believed to have a physical or  
7 mental health condition that is related to his or her  
8 service; or

9 (H) any other factor that may, in the judgment of  
10 the law enforcement official, indicate that the  
11 missing person may be at risk.

12 (b) Law enforcement risk assessment.

13 (1) Upon initial receipt of a missing person report,  
14 the law enforcement agency shall immediately determine  
15 whether there is a basis to determine that the missing  
16 person is a high-risk missing person.

17 (2) If a law enforcement agency has previously  
18 determined that a missing person is not a high-risk  
19 missing person, but obtains new information, it shall  
20 immediately determine whether the information indicates  
21 that the missing person is a high-risk missing person.

22 (3) Law enforcement agencies are encouraged to  
23 establish written protocols for the handling of missing  
24 person cases to accomplish the purposes of this Act.

25 (c) Law enforcement reporting.

26 (1) Upon receipt of a missing person report, the ~~The~~

1        responding local law enforcement agency shall ~~immediately~~  
2        enter all collected information relating to the missing  
3        person case in the Law Enforcement Agencies Data System  
4        (LEADS) and the National Crime Information Center (NCIC).  
5        The database entries shall remain on file indefinitely or  
6        until action is taken by the originating agency to clear  
7        or cancel the record. In addition, if the missing person  
8        remains missing for 30 days from the date of report, the  
9        law enforcement agency shall immediately generate a report  
10       of the missing person within the National Missing and  
11       Unidentified Persons System (NamUs) ~~databases and the~~  
12       National Missing and Unidentified Persons System (NamUs)  
13       within 45 days after the receipt of the report, or in the  
14       case of a high risk missing person, within 30 days after  
15       the receipt of the report. If the DNA sample submission is  
16       to a National Missing and Unidentified Persons System  
17       (NamUs) partner laboratory, the DNA profile may be  
18       uploaded by the partner laboratory to the National DNA  
19       Index System (NDIS). ~~A packet submission of all relevant~~  
20       ~~reports and DNA samples may be sent to the National~~  
21       ~~Missing and Unidentified Persons System (NamUs) within 30~~  
22       ~~days for any high risk missing person cases. The~~  
23       ~~information shall be provided in accordance with~~  
24       ~~applicable guidelines relating to the databases.~~ The  
25       information shall be entered as follows:

26                (A) If Illinois State Police laboratories are

1 utilized in lieu of National Missing and Unidentified  
2 Persons System (NamUs) partner laboratories, all  
3 appropriate DNA profiles, as determined by the  
4 Illinois State Police, shall be uploaded into the  
5 appropriate index ~~missing person databases~~ of the  
6 State DNA Index System (SDIS) and National DNA Index  
7 System (NDIS) after completion of the DNA analysis and  
8 other procedures required for database entry. The  
9 responding local law enforcement agency may submit any  
10 DNA samples voluntarily obtained from family members  
11 to a National Missing and Unidentified Persons System  
12 (NamUs) partner laboratory for DNA analysis within 90  
13 ~~30~~ days. A notation of DNA submission may be made  
14 within the National Missing and Unidentified Persons  
15 System (NamUs) record.

16 (B) If the missing person remains missing for 30  
17 days from the date of report and if reporting  
18 requirements for entry into ~~Information relevant to~~  
19 ~~the Federal Bureau of Investigation's Violent Criminal~~  
20 ~~Apprehension Program~~ are met, the law enforcement  
21 agency shall enter the missing person case into the  
22 Federal Bureau of Investigation's Violent Criminal  
23 Apprehension Program database ~~be entered as soon as~~  
24 ~~possible.~~

25 (C) The Illinois State Police shall ensure that  
26 persons entering data relating to medical or dental



1 records in State or federal databases are specifically  
2 trained to understand and correctly enter the  
3 information sought by these databases. The Illinois  
4 State Police shall either use a person with specific  
5 expertise in medical or dental records for this  
6 purpose or consult with a chief medical examiner,  
7 forensic anthropologist, or odontologist to ensure the  
8 accuracy and completeness of information entered into  
9 the State and federal databases.

10 (2) The Illinois State Police shall immediately notify  
11 all law enforcement agencies within this State and the  
12 surrounding region of the information that will aid in the  
13 prompt location and safe return of the high-risk missing  
14 person.

15 (3) The local law enforcement agencies that receive  
16 the notification from the Illinois State Police shall  
17 notify officers to be on the lookout for the missing  
18 person or a suspected abductor.

19 (4) Pursuant to any applicable State criteria, local  
20 law enforcement agencies shall also provide for the prompt  
21 use of an Amber Alert in cases involving abducted  
22 children; or use of the Endangered Missing Person Advisory  
23 in appropriate high-risk missing person ~~high-risk~~ cases.

24 (Source: P.A. 101-81, eff. 7-12-19; 101-266, eff. 1-1-21;  
25 102-538, eff. 8-20-21.)

1 (50 ILCS 722/20)

2 Sec. 20. Unidentified persons or human remains  
3 identification responsibilities.

4 (a) In this Section, "assisting law enforcement agency"  
5 means a law enforcement agency with jurisdiction acting under  
6 the request and direction of the medical examiner or coroner  
7 to assist with human remains identification.

8 (a-5) If the official with custody of the human remains is  
9 not a coroner or medical examiner, the official shall  
10 immediately notify the coroner or medical examiner of the  
11 county in which the remains were found. The coroner or medical  
12 examiner shall go to the scene and take charge of the remains.

13 (b) Notwithstanding any other action deemed appropriate  
14 for the handling of the human remains, the assisting law  
15 enforcement agency, medical examiner, or coroner shall make  
16 reasonable attempts to promptly identify human remains. This  
17 does not include historic or prehistoric skeletal remains.  
18 These actions shall include, but are not limited to, obtaining  
19 the following when possible:

20 (1) photographs of the human remains (prior to an  
21 autopsy);

22 (2) dental and skeletal radiographs ~~X-rays~~;

23 (3) photographs of items found on or with the human  
24 remains;

25 (4) fingerprints from the remains;

26 (5) tissue samples suitable for DNA analysis;

1 (6) (blank); and

2 (7) any other information that may support  
3 identification efforts.

4 (c) No medical examiner or coroner or any other person  
5 shall dispose of, or engage in actions that will materially  
6 affect the unidentified human remains before the assisting law  
7 enforcement agency, medical examiner, or coroner obtains items  
8 essential for human identification efforts listed in  
9 subsection (b) of this Section.

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

11 (e) (Blank).

12 (f) The assisting law enforcement agency, medical  
13 examiner, or coroner shall seek support from appropriate State  
14 and federal agencies, including National Missing and  
15 Unidentified Persons System resources to facilitate prompt  
16 identification of human remains. This support may include, but  
17 is not limited to, fingerprint comparison; forensic  
18 odontology; nuclear or mitochondrial DNA analysis, or both;  
19 and forensic anthropology.

20 (f-5) In this subsection, "local, State, and federal  
21 automated fingerprint identification system databases"  
22 includes:

23 (1) local criminal history repositories;

24 (2) the Illinois State Police Automated Biometric  
25 Identification System (ABIS), both criminal and civil, and  
26 any successor databases; and

1           (3) the Next Generation Integrated Automated  
2           Fingerprint Identification System (NGI) and other federal  
3           fingerprint databases, including the Immigration,  
4           Military, and Repository for Individuals of Special  
5           Concern (RISC), and any successor databases.

6           Fingerprints from the unidentified remains, including  
7           partial prints, shall be submitted for analysis within 7 days  
8           of recovery of the remains by the assisting law enforcement  
9           agency, medical examiner, or coroner to all local, State, and  
10           federal automated fingerprint identification system databases,  
11           and the submitting agency shall ensure fingerprints are  
12           appropriately searched for identification purposes. It is the  
13           responsibility of the submitting agency to ensure that all  
14           these steps are accomplished in the above order and in their  
15           entirety. If there are no matches at any of the aforementioned  
16           local, State, or federal levels, the unidentified fingerprint  
17           records shall be uploaded to the National Missing and  
18           Unidentified Persons System (NamUs) on the 30th day after  
19           recovery of the remains. If no matches are made on the local,  
20           State, or federal level, the submitting agency may contact the  
21           International Criminal Police Organization (INTERPOL) for  
22           search through the automated fingerprint identification system  
23           databases of member countries if remains are believed to have  
24           an international nexus. If the fingerprint analysis does not  
25           aid in the identification of the remains, then the assisting  
26           law enforcement agency, coroner, or medical examiner shall

1 cause a dental examination to be performed by a forensic  
2 odontologist within 45 days of recovery of the remains for the  
3 purpose of dental charting, direct comparison to missing  
4 person dental records, and uploading to the National Crime  
5 Information Center (NCIC) and National Missing and  
6 Unidentified Persons System (NamUs). If the fingerprint and  
7 dental analysis does not aid in the identification of the  
8 remains, then blood, tissue, or bone samples from the  
9 unidentified remains shall be submitted for DNA analysis  
10 within 90 days of the recovery of the remains to a National  
11 Missing and Unidentified Persons System (NamUs) partner  
12 laboratory or other accredited laboratory where DNA profiles  
13 are entered into the National DNA Index System upon completion  
14 of testing. In the case of markedly decomposed or skeletal  
15 remains, a forensic anthropological analysis of the remains  
16 shall also be performed within 30 days from the recovery of the  
17 remains.

18 ~~Fingerprints from the unidentified remains, including~~  
19 ~~partial prints, shall be submitted to the Illinois State~~  
20 ~~Police or other resource for the purpose of attempting to~~  
21 ~~identify the deceased. The coroner or medical examiner shall~~  
22 ~~cause a dental examination to be performed by a forensic~~  
23 ~~odontologist for the purpose of dental charting, comparison to~~  
24 ~~missing person records, or both. Tissue samples collected for~~  
25 ~~DNA analysis shall be submitted within 30 days of the recovery~~  
26 ~~of the remains to a National Missing and Unidentified Persons~~

1 ~~System partner laboratory or other resource where DNA profiles~~  
2 ~~are entered into the National DNA Index System upon completion~~  
3 ~~of testing. Forensic anthropological analysis of the remains~~  
4 ~~shall also be considered.~~

5 (g) (Blank).

6 (g-2) ~~The medical examiner or coroner shall report the~~  
7 ~~unidentified human remains and the location where the remains~~  
8 ~~were found to the Illinois State Police within 24 hours of~~  
9 ~~discovery and then to the Federal Bureau of Investigation~~  
10 ~~within 72 hours of discovery if the remains are not identified~~  
11 ~~as mandated by Section 15 of this Act. The assisting law~~  
12 ~~enforcement agency, medical examiner, or coroner shall contact~~  
13 ~~the Illinois State Police to request the creation of a~~  
14 ~~National Crime Information Center Unidentified Person record~~  
15 ~~within 5 days of the discovery of the remains. In the case of~~  
16 ~~markedly decomposed or skeletal remains, the creation of a~~  
17 ~~National Crime Information Center Unidentified Person record~~  
18 ~~shall be made upon receipt of the anthropological analysis~~  
19 ~~report. The assisting law enforcement agency, medical~~  
20 ~~examiner, or coroner shall provide the Illinois State Police~~  
21 ~~all information required for National Crime Information Center~~  
22 ~~entry. Upon notification, the Illinois State Police shall~~  
23 ~~create the Unidentified Person record without unnecessary~~  
24 ~~delay.~~

25 (g-5) The assisting law enforcement agency, medical  
26 examiner, or coroner shall obtain a National Crime Information

1 Center number from the Illinois State Police to verify entry  
2 and maintain this number within the unidentified human remains  
3 case file. A National Crime Information Center Unidentified  
4 Person record shall remain on file indefinitely or until  
5 action is taken by the originating agency to clear or cancel  
6 the record. The assisting law enforcement agency, medical  
7 examiner, or coroner shall notify the Illinois State Police of  
8 necessary record modifications or cancellation if  
9 identification is made.

10 (h) (Blank).

11 (h-5) The assisting law enforcement agency, medical  
12 examiner, or coroner shall create an unidentified person  
13 record in the National Missing and Unidentified Persons System  
14 prior to the submission of samples and on the 30th day after ~~or~~  
15 ~~within 30 days of~~ the discovery of the remains, if no  
16 identification has been made. The entry shall include all  
17 available case information, including fingerprint data and  
18 dental radiographs and charts. ~~Samples shall be submitted to a~~  
19 ~~National Missing and Unidentified Persons System partner~~  
20 ~~laboratory for DNA analysis within 30 Days.~~ A notation of DNA  
21 submission shall be made within the National Missing and  
22 Unidentified Persons System Unidentified Person record.

23 (i) Nothing in this Act shall be interpreted to preclude  
24 any assisting law enforcement agency, medical examiner,  
25 coroner, or the Illinois State Police from pursuing other  
26 efforts to identify human remains including efforts to

1 publicize information, descriptions, or photographs related to  
2 the investigation. An assisting law enforcement agency,  
3 medical examiner, coroner, and the Illinois State Police may  
4 not close an unidentified person case until the individual has  
5 been identified. Law enforcement agencies, medical examiners,  
6 and coroners shall keep such cases under active investigation  
7 until the person is identified. Reasons for closing an  
8 unidentified person case may not include exhaustion of leads  
9 and the life expectancy of the unidentified person's next of  
10 kin.

11 (j) For historic or prehistoric human skeletal remains  
12 determined by an anthropologist to be older than 100 years,  
13 jurisdiction shall be transferred to the Department of Natural  
14 Resources for further investigation under the Archaeological  
15 and Paleontological Resources Protection Act.

16 (Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21;  
17 102-869, eff. 1-1-23.)

18 (50 ILCS 722/25)

19 Sec. 25. Unidentified deceased persons. The coroner, ~~or~~  
20 medical examiner, or assisting law enforcement agency shall  
21 obtain a biological ~~DNA~~ sample from any individual whose  
22 remains are not identifiable. The biological ~~DNA~~ sample shall  
23 be forwarded to a National Missing and Unidentified Persons  
24 System partner laboratory or other accredited laboratory where  
25 DNA profiles are entered into ~~resource for analysis and~~



1 ~~inclusion in~~ the National DNA Index System.

2 Prior to the burial or interment of any unknown  
3 individual's remains or any unknown individual's body part,  
4 the medical examiner or coroner in possession of the remains  
5 or body part must assign a case ~~DNA-log~~ number to the unknown  
6 individual or body part. The medical examiner or coroner shall  
7 place a stainless-steel tag that is stamped or inscribed with  
8 the assigned case ~~DNA-log~~ number on the individual or body part  
9 and on the outside of the burial container. ~~The DNA-log number~~  
10 ~~shall be stamped on the unidentified individual's toe tag, if~~  
11 ~~possible.~~

12 (Source: P.A. 100-901, eff. 1-1-19.)

1 INDEX

2 Statutes amended in order of appearance

3 50 ILCS 722/5

4 50 ILCS 722/10

5 50 ILCS 722/20

6 50 ILCS 722/25