

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****SB0024**

Introduced 1/13/2025, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

See Index

Amends the Missing Persons Identification Act. Requires a law enforcement agency to attempt to obtain a biological sample from closely related family members of the missing person or a personal item of the missing person beginning 30 days after the date of the missing person report (rather than within 30 days after receipt of a report). Provides that a law enforcement agency may not establish or maintain a policy that requires the observance of a waiting period before accepting a missing person report. Modifies the circumstances under which a law enforcement agency may not refuse to accept a missing person report. 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 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 NamUs, and the law enforcement agency shall (rather than may) attempt to obtain specified information and materials that have not been received. Modifies the follow-up action required by a law enforcement agency after creation of a missing person report. 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 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, a medical examiner, a coroner, or 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 (rather than the coroner or medical examiner) to obtain a biological (rather than DNA) sample from an individual whose remains are not identifiable, and modifies how the sample may be analyzed and labeled. Makes other changes.

LRB104 06956 RTM 16993 b

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. Law ~~All law~~ enforcement agencies
9 shall accept without delay any report of a missing person ~~and~~
10 ~~may attempt to obtain a DNA sample from the missing person or a~~
11 ~~DNA reference sample created from family members' DNA samples~~
12 ~~for submission under paragraph (1) of subsection (c) of~~
13 ~~Section 10. Acceptance of a missing person report filed in~~
14 ~~person may not be refused on any ground. A~~ No law enforcement
15 agency may not establish or maintain a policy that requires
16 the observance of a waiting period before accepting a missing
17 person report, and it may not ~~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 for 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 if a missing person entry is active in the
23 Law Enforcement Agencies Data System (LEADS) for the missing
24 person, then the law enforcement agency may not draft an
25 additional missing person report but shall draft an
26 informational report detailing the interview of the reporting

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

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

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

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

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

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

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

21 (5) the missing person's gender;

22 (6) the missing person's race;

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

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

26 (9) the missing person's prosthetics, surgical

1 implants, or cosmetic implants;

2 (10) the missing person's physical anomalies;

3 (11) the missing person's blood type, if known;

4 (12) the missing person's driver's license number, if
5 known;

6 (13) the missing person's social security number, if
7 known;

8 (14) a photograph of the missing person; recent
9 photographs are preferable and the agency is encouraged to
10 attempt to ascertain the approximate date the photograph
11 was taken;

12 (15) a description of the clothing the missing person
13 was believed to be wearing;

14 (16) a description of items that might be with the
15 missing person, such as jewelry, accessories, and shoes or
16 boots;

17 (17) information on the missing person's electronic
18 communications devices, such as cellular telephone numbers
19 and e-mail addresses;

20 (18) the reasons why the reporting individual believes
21 that the person is missing;

22 (19) the name and location of the missing person's
23 school or employer, if known;

24 (20) the name and location of the missing person's
25 dentist or primary care physician or provider, or both, if
26 known;

1 (21) any circumstances that may indicate that the
2 disappearance was not voluntary;

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

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

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

12 (A) name;

13 (B) a physical description;

14 (C) date of birth;

15 (D) identifying marks;

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

20 (F) known associates;

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

23 (26) the date of last contact.

24 (d) Notification and follow up action.

25 (1) Notification. The law enforcement agency shall
26 notify the person making the report, a family member, a

1 person responsible for the missing person's welfare, or
2 other person in a position to assist the law enforcement
3 agency in its efforts to locate the missing person of the
4 following:

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

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

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

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

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

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

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

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

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

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

26 (C) An authorization to release dental or skeletal

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

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

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

25 (3) Biological samples ~~Samples~~ collected for DNA
26 analysis shall ~~may~~ be submitted to a National Missing and

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

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

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

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

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

8 (50 ILCS 722/10)

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

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

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

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

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

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

25 (D) the person is missing under known dangerous

1 circumstances;

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

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

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

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

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

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

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

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

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

1 (vii) the person has gone missing ~~eloped~~ from
2 a facility licensed under the Nursing Home Care
3 Act ~~nursing home~~;

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

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

13 (b) Law enforcement risk assessment.

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

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

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

26 (c) Law enforcement reporting.

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

1 information shall be entered as follows:

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

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

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

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

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

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

26 (Source: P.A. 101-81, eff. 7-12-19; 101-266, eff. 1-1-21;

102-538, eff. 8-20-21.)

(50 ILCS 722/20)

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

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

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

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

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

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

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

(4) fingerprints from the remains;

(5) tissue samples suitable for DNA analysis;

(6) (blank); and

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

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

(d) Cremation of unidentified human remains is prohibited.

(e) (Blank).

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

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

(1) local criminal history repositories;

(2) the Illinois State Police Automated Biometric

1 Identification System (ABIS), both criminal and civil, and
2 any successor databases; and

3 (3) the Next Generation Integrated Automated
4 Fingerprint Identification System (NGI) and other federal
5 fingerprint databases, including immigration and military
6 databases and the Repository for Individuals of Special
7 Concern (RISC), and any successor databases.

8 It is the responsibility of the submitting agency to
9 ensure the following steps are completed in the following
10 order:

11 (1) Fingerprints from unidentified human remains,
12 including partial prints, shall be submitted for analysis
13 within 7 days of recovery of the remains by the assisting
14 law enforcement agency, medical examiner, or coroner to
15 all local, State, and federal automated fingerprint
16 identification system databases.

17 (2) The submitting agency shall ensure fingerprints
18 are appropriately searched for identification purposes.

19 If there are no matches in any of the local, State, and
20 federal automated fingerprint identification system databases,
21 the unidentified fingerprint records shall be uploaded to the
22 National Missing and Unidentified Persons System (NamUs) on
23 the 30th day after recovery of the remains. If no matches are
24 made in the local, State, and federal automated fingerprint
25 identification system databases, the submitting agency may
26 contact the International Criminal Police Organization

1 (INTERPOL) to search through the automated fingerprint
2 identification system databases of member countries if remains
3 are believed to have an international nexus. If the
4 fingerprint analysis does not aid in the identification of the
5 remains, then the assisting law enforcement agency, coroner,
6 or medical examiner shall cause a dental examination to be
7 performed by a forensic odontologist within 45 days of
8 recovery of the remains for the purpose of dental charting,
9 direct comparison to missing person dental records, and
10 uploading to the National Crime Information Center (NCIC) and
11 National Missing and Unidentified Persons System (NamUs). If
12 the fingerprint and dental analysis does not aid in the
13 identification of the remains, then blood, tissue, or bone
14 samples from the unidentified remains shall be submitted for
15 DNA analysis within 90 days of the recovery of the remains to a
16 National Missing and Unidentified Persons System (NamUs)
17 partner laboratory or other accredited laboratory where DNA
18 profiles are entered into the National DNA Index System upon
19 completion of testing. In the case of markedly decomposed or
20 skeletal remains, a forensic anthropological analysis of the
21 remains shall also be performed within 30 days from the
22 recovery of the remains.

23 ~~Fingerprints from the unidentified remains, including~~
24 ~~partial prints, shall be submitted to the Illinois State~~
25 ~~Police or other resource for the purpose of attempting to~~
26 ~~identify the deceased. The coroner or medical examiner shall~~

1 ~~cause a dental examination to be performed by a forensic~~
2 ~~odontologist for the purpose of dental charting, comparison to~~
3 ~~missing person records, or both. Tissue samples collected for~~
4 ~~DNA analysis shall be submitted within 30 days of the recovery~~
5 ~~of the remains to a National Missing and Unidentified Persons~~
6 ~~System partner laboratory or other resource where DNA profiles~~
7 ~~are entered into the National DNA Index System upon completion~~
8 ~~of testing. Forensic anthropological analysis of the remains~~
9 ~~shall also be considered.~~

10 (g) (Blank).

11 (g-2) ~~The medical examiner or coroner shall report the~~
12 ~~unidentified human remains and the location where the remains~~
13 ~~were found to the Illinois State Police within 24 hours of~~
14 ~~discovery and then to the Federal Bureau of Investigation~~
15 ~~within 72 hours of discovery if the remains are not identified~~
16 ~~as mandated by Section 15 of this Act.~~ The assisting law
17 enforcement agency, medical examiner, or coroner shall contact
18 the Illinois State Police to request the creation of a
19 National Crime Information Center Unidentified Person record
20 within 5 days of the discovery of the remains. In the case of
21 markedly decomposed or skeletal remains, the creation of a
22 National Crime Information Center (NCIC) Unidentified Person
23 File shall be made upon receipt of the anthropological
24 analysis report. The assisting law enforcement agency, medical
25 examiner, or coroner shall provide the Illinois State Police
26 all information required for National Crime Information Center

1 entry. Upon notification, the Illinois State Police shall
2 create the Unidentified Person record without unnecessary
3 delay.

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

15 (h) (Blank).

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

1 Unidentified Persons System Unidentified Person record.

2 (i) Nothing in this Act shall be interpreted to preclude
3 any assisting law enforcement agency, medical examiner,
4 coroner, or the Illinois State Police from pursuing other
5 efforts to identify human remains including efforts to
6 publicize information, descriptions, or photographs related to
7 the investigation. An assisting law enforcement agency, a
8 medical examiner, a coroner, or the Illinois State Police may
9 not close an unidentified person case until the individual has
10 been identified. Law enforcement agencies, medical examiners,
11 and coroners shall keep such cases under active investigation
12 until the person is identified. Reasons for closing an
13 unidentified person case may not include exhaustion of leads
14 or termination of the anticipated life span of the missing
15 person's next of kin.

16 (j) For historic or prehistoric human skeletal remains
17 determined by an anthropologist to be older than 100 years,
18 jurisdiction shall be transferred to the Department of Natural
19 Resources for further investigation under the Archaeological
20 and Paleontological Resources Protection Act.

21 (Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21;
22 102-869, eff. 1-1-23.)

23 (50 ILCS 722/25)

24 Sec. 25. Unidentified deceased persons. The coroner, ~~or~~
25 medical examiner, or assisting law enforcement agency shall

1 obtain a biological ~~DNA~~ sample from any individual whose
2 remains are not identifiable. The biological ~~DNA~~ sample shall
3 be forwarded to a National Missing and Unidentified Persons
4 System partner laboratory or other accredited laboratory where
5 DNA profiles are entered into ~~resource for analysis and~~
6 ~~inclusion in~~ the National DNA Index System.

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

17 (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