

SB2949



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2949

Introduced 1/27/2026, by Sen. Michael E. Hastings

SYNOPSIS AS INTRODUCED:

50 ILCS 722/5

Amends the Missing Persons Identification Act. Provides that, if a missing person remains missing for 30 days after the date of the police report (rather than 60 days after the date of the police report and missing for 60 days after the date of the police report in the National Missing and Unidentified Persons System (NamUs)), then the missing person's dental record shall be added to the missing person entry in the Law Enforcement Agencies Data System (LEADS). Provides that, if a missing person remains missing for 60 days after the date of the police report, then the missing person's dental record shall be entered in the National Missing and Unidentified Persons System (NamUs).

LRB104 19011 RTM 32456 b

A BILL FOR

1 AN ACT concerning local 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 Section 5 as follows:

6 (50 ILCS 722/5)

7 Sec. 5. Missing person reports.

8 (a-1) Law enforcement policy. Law enforcement agencies
9 shall adopt a policy regarding missing person investigations
10 and missing person reporting and follow-up actions.

11 (a-5) Report acceptance. Law enforcement agencies shall
12 accept without delay any report of a missing person. A law
13 enforcement agency may not establish or maintain a policy that
14 requires the observance of a waiting period before accepting a
15 missing person report, and it may not refuse to accept a
16 missing person report:

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

18 (2) on the basis that the circumstances do not
19 indicate foul play;

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

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

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

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

6 (7) (blank);

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

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

12 (9-5) on the basis of the missing person's mental
13 state or medical condition.

14 (a-10) Multiple reports for same missing person. If the
15 law enforcement agency learns through investigation that a
16 missing person report has been filed by another law
17 enforcement agency for the same missing person and is under
18 active investigation by that agency and if a missing person
19 entry is active in the Law Enforcement Agencies Data System
20 (LEADS), then the law enforcement agency may not draft an
21 additional missing person report but shall draft an
22 informational report detailing the interview of the reporting
23 individual. The informational report shall be forwarded to the
24 original law enforcement agency handling the missing person
25 case without delay. A second or subsequent agency is not
26 prohibited from entering a duplicate missing person report in

1 LEADS; however, only one LEADS missing person report is
2 required. Any existing LEADS missing person report may be
3 modified by the originating agency to include additional or
4 updated information.

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

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

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

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

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

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

22 (5) the missing person's gender;

23 (6) the missing person's race;

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

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

1 (9) the missing person's prosthetics, surgical
2 implants, or cosmetic implants;

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

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

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

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

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

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

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

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

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

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

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

1 known;

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

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

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

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

13 (A) name;

14 (B) a physical description;

15 (C) date of birth;

16 (D) identifying marks;

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

21 (F) known associates;

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

24 (26) the date of last contact.

25 (c-5) Collection of evidence. Nothing prohibits the
26 collection of photographs, documents, biological samples,

1 dental charts, radiographs, or fingerprints at the start of a
2 missing person investigation.

3 (c-10) LEADS entry requirement. Using the information
4 gathered in subsection (c) for the missing person report, the
5 law enforcement agency shall immediately enter a missing
6 person report in LEADS.

7 (d) Notification and follow up action.

8 (1) Notification. The law enforcement agency shall
9 notify the person making the report, a family member, a
10 person responsible for the missing person's welfare, or
11 other person in a position to assist the law enforcement
12 agency in its efforts to locate the missing person of the
13 following:

14 (A) general information about the handling of the
15 missing person case or about intended efforts in the
16 case to the extent that the law enforcement agency
17 determines that disclosure would not adversely affect
18 its ability to locate or protect the missing person or
19 to apprehend or prosecute any person criminally
20 involved in the disappearance;

21 (A-5) information regarding the collection of
22 documents and biological samples that could assist in
23 the identification of a missing person, including
24 dental charts and radiographs, medical records,
25 fingerprints, and biological samples from the person's
26 personal items or from the missing person's immediate

1 biological family members;

2 (B) that the person should promptly contact the
3 law enforcement agency if the missing person remains
4 missing in order to provide additional information and
5 materials that will aid in locating the missing person
6 such as the missing person's credit cards, debit
7 cards, banking information, and cellular telephone
8 records; and

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

13 The law enforcement agency, upon acceptance of a
14 missing person report, shall inform the reporting citizen
15 of one of 2 resources, based upon the age of the missing
16 person. If the missing person is under 18 years of age,
17 contact information for the National Center for Missing
18 and Exploited Children shall be given. If the missing
19 person is age 18 or older, contact information for the
20 National Missing and Unidentified Persons System (NamUs)
21 organization shall be given.

22 The law enforcement agency is encouraged to make
23 available informational materials, through publications or
24 electronic or other media, that advise the public about
25 how the information or materials identified in this
26 subsection are used to help locate or identify missing

1 persons.

2 (2) Follow up action. If the missing person remains
3 missing for 60 days after the date of the report, then the
4 law enforcement agency shall immediately generate a report
5 of the missing person within the National Missing and
6 Unidentified Persons System (NamUs), and the law
7 enforcement agency shall attempt to obtain all of the
8 following additional information and materials that have
9 not been received:

10 (A) Additional photographs of the missing person
11 that may aid the investigation or identification of an
12 unidentified person, including photographs of the
13 missing person's scars, marks, and tattoos. All
14 photographs of the missing person that the law
15 enforcement agency collected shall be added to the
16 National Missing and Unidentified Persons System
17 (NamUs) record. The law enforcement agency is not
18 required to obtain written authorization before it
19 releases publicly a photograph that would aid in the
20 investigation or location of the missing person.

21 (B) Fingerprint records of the missing person from
22 a competent authority or from a criminal history
23 database, if available. If a missing person remains
24 missing for 30 days after the date of the police
25 report, then the missing person's fingerprint record
26 shall be added to the missing person entry in the Law

1 Enforcement Agencies Data System (LEADS). If a missing
2 person remains missing for 60 days after the date of
3 the police report, then the missing person's
4 fingerprint record shall be entered in the National
5 Missing and Unidentified Persons System (NamUs). The
6 fingerprint records may be used for direct comparison
7 to the fingerprint records of unidentified persons
8 only.

9 (C) (Blank).

10 (D) Dental charts and radiographs of the missing
11 person, if available. If a missing person remains
12 missing for 30 ~~60~~ days after the date of the police
13 report ~~and missing for 60 days after the date of the~~
14 ~~police report in the National Missing and Unidentified~~
15 ~~Persons System (NamUs),~~ then the missing person's
16 dental record shall be added to the missing person
17 entry in the Law Enforcement Agencies Data System
18 (LEADS). If a missing person remains missing for 60
19 days after the date of the police report, then the
20 missing person's dental record shall be entered in the
21 National Missing and Unidentified Persons System
22 (NamUs). The dental records may be used ~~only~~ for
23 direct comparison to the dental records of
24 unidentified persons only.

25 (E) Biological samples from closely related family
26 members of the missing person or biological samples

1 from personal items of the missing person, along with
2 any consent forms, required for the entry of a DNA
3 profile in the Combined DNA Index System, including,
4 but not limited to, the Local DNA Index System (LDIS),
5 State DNA Index System (SDIS), and National DNA Index
6 System (NDIS).

7 (3) Biological samples collected for DNA analysis, if
8 any, shall be submitted to a Combined DNA Index System
9 (CODIS) or other accredited laboratory where DNA profiles
10 are entered into local, State, and national DNA Index
11 Systems within 90 days from the date of the police report.
12 Illinois State Police laboratories shall establish
13 procedures for determining how to prioritize analysis of
14 the samples relating to missing person cases. All
15 biological samples and subsequent DNA profiles, if any,
16 obtained in missing person cases from family members of
17 the missing person or personal items of the missing person
18 may not be retained after the location or identification
19 of the remains of the missing person unless there is a
20 search warrant signed by a court of competent
21 jurisdiction.

22 (4) This subsection shall not be interpreted to
23 preclude a law enforcement agency from attempting to
24 obtain the materials identified in this subsection before
25 the expiration of the specified periods.

26 (5) Law enforcement agencies are encouraged to

1 establish written protocols for the handling of missing
2 person cases to accomplish the purposes of this Act. Law
3 enforcement agencies may not close a missing person case
4 until the missing person has returned or been located,
5 either alive or deceased. Law enforcement agencies shall
6 keep cases under active investigation until the missing
7 person is located or returned. Reasons for closing a
8 missing person case may not include exhaustion of leads or
9 termination of the anticipated life span of the missing
10 person.

11 (Source: P.A. 104-339, eff. 1-1-26.)