



Sen. Michael E. Hastings

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1 AMENDMENT TO SENATE BILL 2949

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2949 on page 1,  
3 line 5, by replacing "Section 5" with "Sections 5, 10, 20, and  
4 25"; and

5 on page 6, line 26, by replacing "immediate" with "~~immediate~~";  
6 and

7 on page 7, line 4, by replacing "in order" with "~~in order~~"; and

8 on page 7, line 9, by replacing "DNA" with "biological DNA";  
9 and

10 by replacing line 25 on page 9 through line 11 on page 11 with  
11 the following:

12 "(E) Biological samples from ~~closely related~~  
13 ~~family members of the missing person or biological~~  
14 ~~samples from personal items of the missing person,~~

1 along with any consent forms, required for the entry  
2 of a DNA profile into ~~in~~ the Combined DNA Index System  
3 (CODIS). If biological samples are not available from  
4 the missing person, then biological samples may be  
5 used from biological relatives of the missing person.  
6 Biological samples from relatives must be provided  
7 voluntarily, and all consent and information forms  
8 must be completed and submitted with the samples,  
9 ~~including, but not limited to, the Local DNA Index~~  
10 ~~System (LDIS), State DNA Index System (SDIS), and~~  
11 ~~National DNA Index System (NDIS).~~

12 (3) Biological samples collected for DNA analysis, if  
13 any, shall be submitted to an accredited forensic  
14 laboratory for DNA testing for entry by a National DNA  
15 Index System (NDIS) participating laboratory ~~a Combined~~  
16 ~~DNA Index System (CODIS) or other accredited laboratory~~  
17 ~~where DNA profiles are entered into local, State, and~~  
18 ~~national DNA Index Systems~~ within 90 days from the date of  
19 the police report. Illinois State Police laboratories  
20 shall establish procedures for determining how to  
21 prioritize analysis of the samples relating to missing  
22 person cases. All biological samples and subsequent DNA  
23 profiles, if any, obtained in missing person cases from  
24 family members of the missing person or from ~~personal~~  
25 ~~items of~~ the missing person may not be retained after the  
26 location or identification of the remains of the missing

1 person unless there is a search warrant signed by a court  
2 of competent jurisdiction.

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

7 (5) Law enforcement agencies are encouraged to  
8 establish written protocols for the handling of missing  
9 person cases to accomplish the purposes of this Act. Law  
10 enforcement agencies may not close a missing person case  
11 until the missing person has returned or been located,  
12 either alive or deceased. Law enforcement agencies shall  
13 keep cases under active investigation until the missing  
14 person is located or returned. Reasons for closing a  
15 missing person case may not include exhaustion of leads or  
16 termination of the anticipated life span of the missing  
17 person.

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

19 (50 ILCS 722/10)

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

22 (a) Prompt determination and definition of a high-risk  
23 missing person.

24 (1) Definition. "High-risk missing person" means a  
25 person whose whereabouts are not currently known and whose

1           circumstances indicate that the person may be at risk of  
2           injury or death. The circumstances that indicate that a  
3           person is a high-risk missing person include, but are not  
4           limited to, any of the following:

5                   (A) the person is missing as a result of a stranger  
6                   abduction;

7                   (B) the person is missing under suspicious  
8                   circumstances;

9                   (C) the person is missing under unknown  
10                   circumstances;

11                   (D) the person is missing under known dangerous  
12                   circumstances;

13                   (E) the person is missing more than 60 days;

14                   (F) the person has already been designated as a  
15                   high-risk missing person by another law enforcement  
16                   agency;

17                   (G) there is evidence that the person is at risk  
18                   because:

19                           (i) the person is in need of medical  
20                           attention, including but not limited to persons  
21                           with dementia-like symptoms, or prescription  
22                           medication;

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

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

1 (iv) the person is mentally impaired,  
2 including, but not limited to, a person having a  
3 developmental disability, as defined in Section  
4 1-106 of the Mental Health and Developmental  
5 Disabilities Code, or a person having an  
6 intellectual disability, as defined in Section  
7 1-116 of the Mental Health and Developmental  
8 Disabilities Code;

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

10 (vi) the person has been the subject of past  
11 threats or acts of violence;

12 (vii) the person has gone missing from a  
13 facility licensed under the Nursing Home Care Act;

14 (G-5) the person is a veteran or active duty  
15 member of the United States Armed Forces, the National  
16 Guard, or any reserve component of the United States  
17 Armed Forces who is believed to have a physical or  
18 mental health condition that is related to his or her  
19 service; or

20 (H) any other factor that may, in the judgment of  
21 the law enforcement official, indicate that the  
22 missing person may be at risk.

23 (b) Law enforcement risk assessment.

24 (1) Upon initial receipt of a missing person report,  
25 the law enforcement agency shall immediately determine  
26 whether there is a basis to determine that the missing

1 person is a high-risk missing person.

2 (2) If a law enforcement agency has previously  
3 determined that a missing person is not a high-risk  
4 missing person, but obtains new information, it shall  
5 immediately determine whether the information indicates  
6 that the missing person is a high-risk missing person.

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

10 (c) Law enforcement reporting.

11 (1) Upon receipt of a missing person report, the  
12 responding local law enforcement agency shall enter all  
13 collected information relating to the missing person case  
14 in the Law Enforcement Agencies Data System (LEADS) and  
15 the National Crime Information Center (NCIC). The database  
16 entries shall remain on file indefinitely or until action  
17 is taken by the originating agency to clear or cancel the  
18 record. In addition, if the missing person remains missing  
19 for 60 days after the date of the report, the law  
20 enforcement agency shall immediately generate a report of  
21 the missing person within the National Missing and  
22 Unidentified Persons System (NamUs) as required under  
23 paragraph (2) of subsection (d) of Section 5. The  
24 information shall be entered as follows:

25 (A) For Illinois State Police laboratories or  
26 other accredited forensic laboratories for DNA

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

17           (B) If the missing person remains missing for 60  
18 days from the date of the report and if reporting  
19 requirements for entry into the Federal Bureau of  
20 Investigation's Violent Criminal Apprehension Program  
21 are met, the law enforcement agency shall enter the  
22 missing person case into the Federal Bureau of  
23 Investigation's Violent Criminal Apprehension Program  
24 database.

25           (C) The Illinois State Police or other assigned  
26 law enforcement agency shall ensure that persons

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

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

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

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

25 (Source: P.A. 104-339, eff. 1-1-26; revised 11-20-25.)

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;

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 immigration and military  
4 databases and the Repository for Individuals of Special  
5 Concern (RISC), and any successor databases.

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

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

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

17           If there are no matches in any of the local, State, and  
18 federal automated fingerprint identification system databases,  
19 the unidentified fingerprint records shall be uploaded to the  
20 National Missing and Unidentified Persons System (NamUs)  
21 within 60 days after recovery of the remains. If no matches are  
22 made in the local, State, and federal automated fingerprint  
23 identification system databases, the submitting agency may  
24 contact the International Criminal Police Organization  
25 (INTERPOL) to search through the automated fingerprint  
26 identification system databases of member countries if remains

1 are believed to have an international nexus. If the  
2 fingerprint analysis does not aid in the identification of the  
3 remains, then the assisting law enforcement agency, coroner,  
4 or medical examiner shall cause a dental examination to be  
5 performed by a forensic odontologist within 45 days of  
6 recovery of the remains for the purpose of dental charting,  
7 direct comparison to missing person dental records, and  
8 uploading to the National Crime Information Center (NCIC) and  
9 National Missing and Unidentified Persons System (NamUs). If  
10 the fingerprint and dental analysis does not aid in the  
11 identification of the remains, then blood, tissue, or bone  
12 samples from the unidentified remains shall be submitted for  
13 DNA analysis within 90 days of the recovery of the remains to a  
14 an Combined DNA Index System (CODIS) accredited forensic  
15 laboratory for DNA testing for entry by a National DNA Index  
16 System (NDIS) participating laboratory where DNA profiles are  
17 entered into the National DNA Index System upon completion of  
18 testing. In the case of markedly decomposed or skeletal  
19 remains, a forensic anthropological analysis of the remains,  
20 authorized by the coroner or medical examiner, shall also be  
21 performed within 60 days from the recovery and preparation of  
22 the remains for the analysis.

23 (g) (Blank).

24 (g-2) The medical examiner, or coroner shall cause the  
25 entry of a National Crime Information Center Unidentified  
26 Person record within 5 days of the discovery of the remains. In

1 the case of markedly decomposed or skeletal remains, the  
2 creation of a National Crime Information Center (NCIC)  
3 Unidentified Person File shall be made upon receipt of the  
4 anthropological analysis report. The medical examiner or  
5 coroner shall provide the assisting law enforcement agency  
6 with all information required for the National Crime  
7 Information Center (NCIC) entry. Upon receipt of this  
8 information, the assisting law enforcement agency shall create  
9 the Unidentified Person record without unnecessary delay. In  
10 the case of markedly decomposed or skeletal remains, the  
11 creation of a National Crime Information Center (NCIC)  
12 Unidentified Person File shall be made upon receipt of the  
13 anthropological analysis report. If an anthropological  
14 analysis report determines the remains to be historic or  
15 prehistoric, then no NCIC entry is required.

16 (g-5) The medical examiner or coroner shall obtain a  
17 National Crime Information Center number from the assisting  
18 law enforcement agency to verify entry and maintain this  
19 number within the unidentified human remains case file. A  
20 National Crime Information Center Unidentified Person record  
21 shall remain on file indefinitely or until action is taken by  
22 the originating agency to clear or cancel the record. The  
23 medical examiner or coroner shall notify the assisting law  
24 enforcement agency of necessary record modifications or  
25 cancellation if identification is made.

26 (h) (Blank).

1 (h-5) No later than 60 days following the discovery of the  
2 remains, the assisting law enforcement agency, medical  
3 examiner, or coroner shall create an unidentified person  
4 record in the National Missing and Unidentified Persons System  
5 if no identification has been made. The entry shall include  
6 all available case information, including fingerprint data and  
7 dental radiographs and charts. A notation of DNA submission  
8 shall be made within the National Missing and Unidentified  
9 Persons System Unidentified Person record.

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

24 (j) For historic or prehistoric human skeletal remains  
25 determined by an anthropologist to be older than 100 years,  
26 jurisdiction shall be transferred to the Department of Natural

1 Resources for further investigation under the Archaeological  
2 and Paleontological Resources Protection Act.

3 (Source: P.A. 104-339, eff. 1-1-26; revised 11-20-25.)

4 (50 ILCS 722/25)

5 Sec. 25. Unidentified deceased persons. The coroner,  
6 medical examiner, or assisting law enforcement agency shall  
7 obtain a biological sample from any individual whose remains  
8 are not identifiable. The biological sample shall be forwarded  
9 to an accredited forensic laboratory for DNA testing for entry  
10 by a National DNA Index System (NDIS) participating ~~Combined~~  
11 ~~DNA Index System (CODIS)~~ laboratory where eligible DNA  
12 profiles are entered into the Combined DNA Index System  
13 (CODIS) ~~the appropriate State and National DNA Index System~~  
14 within 90 days from the discovery of the remains.

15 Prior to the burial or interment of any unknown  
16 individual's remains or any unknown individual's body part,  
17 the medical examiner or coroner in possession of the remains  
18 or body part must assign a case number to the unknown  
19 individual or body part. The medical examiner or coroner shall  
20 place a stainless-steel tag that is stamped or inscribed with  
21 the assigned case number on the individual or body part and on  
22 the outside of the burial container.

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