



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB4009

Introduced 2/6/2026, by Sen. Michael E. Hastings

#### SYNOPSIS AS INTRODUCED:

50 ILCS 722/5  
50 ILCS 722/10  
50 ILCS 722/20  
50 ILCS 722/25

Amends the Missing Persons Identification Act. Provides that, if biological samples are not available from a missing person, then biological samples may be used from any (rather than closely related) biological relatives of the missing person. Provides that biological samples from relatives must be provided voluntarily and that all consent and information forms must be completed and submitted with the samples. Provides that biological samples collected for DNA analysis shall be submitted to an accredited forensic laboratory for DNA testing for entry by a Combined DNA Index System (CODIS) participating laboratory (rather than a Combined DNA Index System (CODIS) or other accredited laboratory where DNA profiles are entered into local, State, and national DNA Index Systems) within 90 days from the date of the police report. Provides that the DNA profiles of biological samples from the remains of unidentifiable individuals collected by a coroner, medical examiner, or assisting law enforcement agency shall be entered into the Combined DNA Index System (CODIS) (rather than the appropriate State and National DNA Index System) within 90 days from the discovery of the remains.

LRB104 14061 RTM 27193 b

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 Sections 5, 10, 20, and 25 as follows:

6 (50 ILCS 722/5)

7 (Text of Section before amendment by P.A. 104-339)

8 Sec. 5. Missing person reports.

9 (a) Report acceptance. All law enforcement agencies shall  
10 accept without delay any report of a missing person and may  
11 attempt to obtain a DNA sample from the missing person or a DNA  
12 reference sample created from family members' DNA samples for  
13 submission under paragraph (1) of subsection (c) of Section  
14 10. Acceptance of a missing person report filed in person may  
15 not be refused on any ground. No law enforcement agency may  
16 refuse to accept a 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 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) on the basis that the reporting individual does  
7 not have personal knowledge of the facts;

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

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

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

15 (10) for any other reason.

16 (b) Manner of reporting. All law enforcement agencies  
17 shall accept missing person reports in person. Law enforcement  
18 agencies are encouraged to accept reports by phone or by  
19 electronic or other media to the extent that such reporting is  
20 consistent with law enforcement policies or practices.

21 (c) Contents of report. In accepting a report of a missing  
22 person, the law enforcement agency shall attempt to gather  
23 relevant information relating to the disappearance. The law  
24 enforcement agency shall attempt to gather at the time of the  
25 report information that shall include, but shall not be  
26 limited to, the following:

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

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

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

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

7           (5) the missing person's gender;

8           (6) the missing person's race;

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

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

12           (9) the missing person's prosthetics, surgical  
13 implants, or cosmetic implants;

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

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

16           (12) the missing person's driver's license number, if  
17 known;

18           (13) the missing person's social security number, if  
19 known;

20           (14) a photograph of the missing person; recent  
21 photographs are preferable and the agency is encouraged to  
22 attempt to ascertain the approximate date the photograph  
23 was taken;

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

26           (16) a description of items that might be with the

1 missing person, such as jewelry, accessories, and shoes or  
2 boots;

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

6 (18) the reasons why the reporting individual believes  
7 that the person is missing;

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

10 (20) the name and location of the missing person's  
11 dentist or primary care physician or provider, or both, if  
12 known;

13 (21) any circumstances that may indicate that the  
14 disappearance was not voluntary;

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

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

21 (24) any identifying information about a known or  
22 possible abductor or person last seen with the missing  
23 person, or both, including:

24 (A) name;

25 (B) a physical description;

26 (C) date of birth;

1 (D) identifying marks;

2 (E) the description of possible means of  
3 transportation, including make, model, color, license  
4 number, and Vehicle Identification Number of a  
5 vehicle;

6 (F) known associates;

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

9 (26) the date of last contact.

10 (d) Notification and follow up action.

11 (1) Notification. The law enforcement agency shall  
12 notify the person making the report, a family member, or  
13 other person in a position to assist the law enforcement  
14 agency in its efforts to locate the missing person of the  
15 following:

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

23 (B) that the person should promptly contact the  
24 law enforcement agency if the missing person remains  
25 missing in order to provide additional information and  
26 materials that will aid in locating the missing person

1           such as the missing person's credit cards, debit  
2           cards, banking information, and cellular telephone  
3           records; and

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

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

17          The law enforcement agency is encouraged to make  
18          available informational materials, through publications or  
19          electronic or other media, that advise the public about  
20          how the information or materials identified in this  
21          subsection are used to help locate or identify missing  
22          persons.

23          (2) Follow up action. If the person identified in the  
24          missing person report remains missing after 30 days, but  
25          not more than 60 days, the law enforcement agency may  
26          generate a report of the missing person within the

1 National Missing and Unidentified Persons System (NamUs),  
2 and the law enforcement agency may attempt to obtain the  
3 additional information and materials that have not been  
4 received, specified below:

5 (A) DNA samples from family members or from the  
6 missing person along with any needed documentation, or  
7 both, including any consent forms, required for the  
8 use of State or federal DNA databases, including, but  
9 not limited to, the Local DNA Index System (LDIS),  
10 State DNA Index System (SDIS), National DNA Index  
11 System (NDIS), and National Missing and Unidentified  
12 Persons System (NamUs) partner laboratories;

13 (B) an authorization to release dental or skeletal  
14 x-rays of the missing person;

15 (C) any additional photographs of the missing  
16 person that may aid the investigation or an  
17 identification; the law enforcement agency is not  
18 required to obtain written authorization before it  
19 releases publicly any photograph that would aid in the  
20 investigation or identification of the missing person;

21 (D) dental information and x-rays; and

22 (E) fingerprints.

23 (3) Samples collected for DNA analysis may be  
24 submitted to a National Missing and Unidentified Persons  
25 System (NamUs) partner laboratory or other resource where  
26 DNA profiles are entered into local, State, and national

1 DNA Index Systems within 60 days. The Illinois State  
2 Police shall establish procedures for determining how to  
3 prioritize analysis of the samples relating to missing  
4 person cases. All DNA samples obtained in missing person  
5 cases from family members of the missing person may not be  
6 retained after the location or identification of the  
7 remains of the missing person unless there is a search  
8 warrant signed by a court of competent jurisdiction.

9 (4) This subsection shall not be interpreted to  
10 preclude a law enforcement agency from attempting to  
11 obtain the materials identified in this subsection before  
12 the expiration of the 30-day period. The responsible law  
13 enforcement agency may make a National Missing and  
14 Unidentified Persons System (NamUs) report on the missing  
15 person within 60 days after the report of the  
16 disappearance of the missing person.

17 (5) Law enforcement agencies are encouraged to  
18 establish written protocols for the handling of missing  
19 person cases to accomplish the purposes of this Act.

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

21 (Text of Section after amendment by P.A. 104-339)

22 Sec. 5. Missing person reports.

23 (a-1) Law enforcement policy. Law enforcement agencies  
24 shall adopt a policy regarding missing person investigations  
25 and missing person reporting and follow-up actions.

1 (a-5) Report acceptance. Law enforcement agencies shall  
2 accept without delay any report of a missing person. A law  
3 enforcement agency may not establish or maintain a policy that  
4 requires the observance of a waiting period before accepting a  
5 missing person report, and it may not refuse to accept a  
6 missing person report:

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

8 (2) on the basis that the circumstances do not  
9 indicate foul play;

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

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

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

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

19 (7) (blank);

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

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

25 (9-5) on the basis of the missing person's mental  
26 state or medical condition.

1 (a-10) Multiple reports for same missing person. If the  
2 law enforcement agency learns through investigation that a  
3 missing person report has been filed by another law  
4 enforcement agency for the same missing person and is under  
5 active investigation by that agency and if a missing person  
6 entry is active in the Law Enforcement Agencies Data System  
7 (LEADS), then the law enforcement agency may not draft an  
8 additional missing person report but shall draft an  
9 informational report detailing the interview of the reporting  
10 individual. The informational report shall be forwarded to the  
11 original law enforcement agency handling the missing person  
12 case without delay. A second or subsequent agency is not  
13 prohibited from entering a duplicate missing person report in  
14 LEADS; however, only one LEADS missing person report is  
15 required. Any existing LEADS missing person report may be  
16 modified by the originating agency to include additional or  
17 updated information.

18 (b) Manner of reporting. All law enforcement agencies  
19 shall accept missing person reports in person. Law enforcement  
20 agencies are encouraged to accept reports by phone or by  
21 electronic or other media to the extent that such reporting is  
22 consistent with law enforcement policies or practices.

23 (c) Contents of report. In accepting a report of a missing  
24 person, the law enforcement agency shall attempt to gather  
25 relevant information relating to the disappearance. The law  
26 enforcement agency shall attempt to gather at the time of the

1 report information that shall include, but shall not be  
2 limited to, the following:

3 (1) the name of the missing person, including  
4 alternative names used;

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

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

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

9 (5) the missing person's gender;

10 (6) the missing person's race;

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

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

14 (9) the missing person's prosthetics, surgical  
15 implants, or cosmetic implants;

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

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

18 (12) the missing person's driver's license number, if  
19 known;

20 (13) the missing person's social security number, if  
21 known;

22 (14) a photograph of the missing person; recent  
23 photographs are preferable and the agency is encouraged to  
24 attempt to ascertain the approximate date the photograph  
25 was taken;

26 (15) a description of the clothing the missing person

1 was believed to be wearing;

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

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

8 (18) the reasons why the reporting individual believes  
9 that the person is missing;

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

12 (20) the name and location of the missing person's  
13 dentist or primary care physician or provider, or both, if  
14 known;

15 (21) any circumstances that may indicate that the  
16 disappearance was not voluntary;

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

19 (23) a description of the possible means of  
20 transportation of the missing person, including make,  
21 model, color, license number, and Vehicle Identification  
22 Number of a vehicle;

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

26 (A) name;

1 (B) a physical description;

2 (C) date of birth;

3 (D) identifying marks;

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

8 (F) known associates;

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

11 (26) the date of last contact.

12 (c-5) Collection of evidence. Nothing prohibits the  
13 collection of photographs, documents, biological samples,  
14 dental charts, radiographs, or fingerprints at the start of a  
15 missing person investigation.

16 (c-10) LEADS entry requirement. Using the information  
17 gathered in subsection (c) for the missing person report, the  
18 law enforcement agency shall immediately enter a missing  
19 person report in LEADS.

20 (d) Notification and follow up action.

21 (1) Notification. The law enforcement agency shall  
22 notify the person making the report, a family member, a  
23 person responsible for the missing person's welfare, or  
24 other person in a position to assist the law enforcement  
25 agency in its efforts to locate the missing person of the  
26 following:

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

8 (A-5) information regarding the collection of  
9 documents and biological samples that could assist in  
10 the identification of a missing person, including  
11 dental charts and radiographs, medical records,  
12 fingerprints, and biological samples from the person's  
13 personal items or from the missing person's ~~immediate~~  
14 biological family members;

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

22 (C) that any biological ~~DNA~~ samples provided for  
23 the missing person case are provided on a voluntary  
24 basis and will be used solely to help locate or  
25 identify the missing person and will not be used for  
26 any other purpose.

1           The law enforcement agency, upon acceptance of a  
2 missing person report, shall inform the reporting citizen  
3 of one of 2 resources, based upon the age of the missing  
4 person. If the missing person is under 18 years of age,  
5 contact information for the National Center for Missing  
6 and Exploited Children shall be given. If the missing  
7 person is age 18 or older, contact information for the  
8 National Missing and Unidentified Persons System (NamUs)  
9 organization shall be given.

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

16           (2) Follow up action. If the missing person remains  
17 missing for 60 days after the date of the report, then the  
18 law enforcement agency shall immediately generate a report  
19 of the missing person within the National Missing and  
20 Unidentified Persons System (NamUs), and the law  
21 enforcement agency shall attempt to obtain all of the  
22 following additional information and materials that have  
23 not been received:

24           (A) Additional photographs of the missing person  
25 that may aid the investigation or identification of an  
26 unidentified person, including photographs of the

1 missing person's scars, marks, and tattoos. All  
2 photographs of the missing person that the law  
3 enforcement agency collected shall be added to the  
4 National Missing and Unidentified Persons System  
5 (NamUs) record. The law enforcement agency is not  
6 required to obtain written authorization before it  
7 releases publicly a photograph that would aid in the  
8 investigation or location of the missing person.

9 (B) Fingerprint records of the missing person from  
10 a competent authority or from a criminal history  
11 database, if available. If a missing person remains  
12 missing for 30 days after the date of the police  
13 report, then the missing person's fingerprint record  
14 shall be added to the missing person entry in the Law  
15 Enforcement Agencies Data System (LEADS). If a missing  
16 person remains missing for 60 days after the date of  
17 the police report, then the missing person's  
18 fingerprint record shall be entered in the National  
19 Missing and Unidentified Persons System (NamUs). The  
20 fingerprint records may be used for direct comparison  
21 to the fingerprint records of unidentified persons  
22 only.

23 (C) (Blank).

24 (D) Dental charts and radiographs of the missing  
25 person, if available. If a missing person remains  
26 missing for 60 days after the date of the police report

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

9 (E) Biological samples from ~~closely related family~~  
10 ~~members of the missing person or biological samples~~  
11 ~~from personal items of the missing person~~, along with  
12 any consent forms, required for the entry of a DNA  
13 profile into the ~~in the Combined DNA Index System,~~  
14 ~~including, but not limited to, the Local DNA Index~~  
15 ~~System (LDIS), State DNA Index System (SDIS), and~~  
16 National DNA Index System (NDIS). If biological  
17 samples are not available from the missing person,  
18 then biological samples may be used from biological  
19 relatives of the missing person. Biological samples  
20 from relatives must be provided voluntarily, and all  
21 consent and information forms must be completed and  
22 submitted with the samples.

23 (3) Biological samples collected for DNA analysis, if  
24 any, shall be submitted to an accredited forensic  
25 laboratory for DNA testing for entry by a Combined DNA  
26 Index System (CODIS) participating laboratory ~~or other~~

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

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

17 (5) Law enforcement agencies are encouraged to  
18 establish written protocols for the handling of missing  
19 person cases to accomplish the purposes of this Act. Law  
20 enforcement agencies may not close a missing person case  
21 until the missing person has returned or been located,  
22 either alive or deceased. Law enforcement agencies shall  
23 keep cases under active investigation until the missing  
24 person is located or returned. Reasons for closing a  
25 missing person case may not include exhaustion of leads or  
26 termination of the anticipated life span of the missing

1 person.

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

3 (50 ILCS 722/10)

4 (Text of Section before amendment by P.A. 104-339)

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

7 (a) Prompt determination and definition of a high-risk  
8 missing person.

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

15 (A) the person is missing as a result of a stranger  
16 abduction;

17 (B) the person is missing under suspicious  
18 circumstances;

19 (C) the person is missing under unknown  
20 circumstances;

21 (D) the person is missing under known dangerous  
22 circumstances;

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

24 (F) the person has already been designated as a  
25 high-risk missing person by another law enforcement

1 agency;

2 (G) there is evidence that the person is at risk  
3 because:

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

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

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

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

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

21 (vi) the person has been the subject of past  
22 threats or acts of violence;

23 (vii) the person has eloped from a nursing  
24 home;

25 (G-5) the person is a veteran or active duty  
26 member of the United States Armed Forces, the National

1 Guard, or any reserve component of the United States  
2 Armed Forces who is believed to have a physical or  
3 mental health condition that is related to his or her  
4 service; or

5 (H) any other factor that may, in the judgment of  
6 the law enforcement official, indicate that the  
7 missing person may be at risk.

8 (b) Law enforcement risk assessment.

9 (1) Upon initial receipt of a missing person report,  
10 the law enforcement agency shall immediately determine  
11 whether there is a basis to determine that the missing  
12 person is a high-risk missing person.

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

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

21 (c) Law enforcement reporting.

22 (1) The responding local law enforcement agency shall  
23 immediately enter all collected information relating to  
24 the missing person case in the Law Enforcement Agencies  
25 Data System (LEADS) and the National Crime Information  
26 Center (NCIC) databases and the National Missing and

1 Unidentified Persons System (NamUs) within 45 days after  
2 the receipt of the report, or in the case of a high risk  
3 missing person, within 30 days after the receipt of the  
4 report. If the DNA sample submission is to a National  
5 Missing and Unidentified Persons System (NamUs) partner  
6 laboratory, the DNA profile may be uploaded by the partner  
7 laboratory to the National DNA Index System (NDIS). A  
8 packet submission of all relevant reports and DNA samples  
9 may be sent to the National Missing and Unidentified  
10 Persons System (NamUs) within 30 days for any high-risk  
11 missing person cases. The information shall be provided in  
12 accordance with applicable guidelines relating to the  
13 databases. The information shall be entered as follows:

14 (A) If Illinois State Police laboratories are  
15 utilized in lieu of National Missing and Unidentified  
16 Persons System (NamUs) partner laboratories, all  
17 appropriate DNA profiles, as determined by the  
18 Illinois State Police, shall be uploaded into the  
19 missing person databases of the State DNA Index System  
20 (SDIS) and National DNA Index System (NDIS) after  
21 completion of the DNA analysis and other procedures  
22 required for database entry. The responding local law  
23 enforcement agency may submit any DNA samples  
24 voluntarily obtained from family members to a National  
25 Missing and Unidentified Persons System (NamUs)  
26 partner laboratory for DNA analysis within 30 days. A

1 notation of DNA submission may be made within the  
2 National Missing and Unidentified Persons System  
3 (NamUs) record.

4 (B) Information relevant to the Federal Bureau of  
5 Investigation's Violent Criminal Apprehension Program  
6 shall be entered as soon as possible.

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

18 (2) The Illinois State Police shall immediately notify  
19 all law enforcement agencies within this State and the  
20 surrounding region of the information that will aid in the  
21 prompt location and safe return of the high-risk missing  
22 person.

23 (3) The local law enforcement agencies that receive  
24 the notification from the Illinois State Police shall  
25 notify officers to be on the lookout for the missing  
26 person or a suspected abductor.

1           (4) Pursuant to any applicable State criteria, local  
2           law enforcement agencies shall also provide for the prompt  
3           use of an Amber Alert in cases involving abducted  
4           children; or use of the Endangered Missing Person Advisory  
5           in appropriate high risk cases.

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

8           (Text of Section after amendment by P.A. 104-339)

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 60 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 from a  
2 facility licensed under the Nursing Home Care Act;

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

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

14                (A) For Illinois State Police laboratories or  
15        other accredited forensic laboratories for DNA  
16        testing, ~~all laboratories,~~ all appropriate DNA  
17        profiles, ~~as determined by the Illinois State Police,~~  
18        shall be uploaded into the missing person database  
19        ~~appropriate index~~ of the State DNA Index System (SDIS)  
20        and National DNA Index System (NDIS) after completion  
21        of the DNA analysis and other procedures required for  
22        database entry. The responding local law enforcement  
23        agency shall attempt to collect and submit any DNA  
24        samples voluntarily obtained from family members to an  
25        accredited forensic ~~Combined DNA Index System (CODIS)~~  
26        laboratory for DNA testing for entry by a Combined DNA

1 Index System (CODIS) participating laboratory analysis  
2 within 90 days from the date of the police report. A  
3 notation of DNA submission may be made within the  
4 National Missing and Unidentified Persons System  
5 (NamUs) record.

6 (B) If the missing person remains missing for 60  
7 days from the date of the report and if reporting  
8 requirements for entry into the Federal Bureau of  
9 Investigation's Violent Criminal Apprehension Program  
10 are met, the law enforcement agency shall enter the  
11 missing person case into the Federal Bureau of  
12 Investigation's Violent Criminal Apprehension Program  
13 database.

14 (C) The Illinois State Police or other assigned  
15 law enforcement agency shall ensure that persons  
16 entering data relating to medical or dental records in  
17 State or federal databases are specifically trained to  
18 understand and correctly enter the information sought  
19 by these databases. The Illinois State Police shall  
20 either use a person with specific expertise in medical  
21 or dental records for this purpose or consult with a  
22 chief medical examiner, forensic anthropologist, or  
23 odontologist to ensure the accuracy and completeness  
24 of information entered into the State and federal  
25 databases.

26 (2) The Illinois State Police shall immediately notify

1 all law enforcement agencies within this State and the  
2 surrounding region of the information that will aid in the  
3 prompt location and safe return of the high-risk missing  
4 person.

5 (3) The local law enforcement agencies that receive  
6 the notification from the Illinois State Police shall  
7 notify officers to be on the lookout for the missing  
8 person or a suspected abductor.

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

14 (Source: P.A. 104-339, eff. 1-1-26; revised 9-10-25.)

15 (50 ILCS 722/20)

16 (Text of Section before amendment by P.A. 104-339)

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

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

23 (a-5) If the official with custody of the human remains is  
24 not a coroner or medical examiner, the official shall  
25 immediately notify the coroner or medical examiner of the

1 county in which the remains were found. The coroner or medical  
2 examiner shall go to the scene and take charge of the remains.

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

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

12 (2) dental and skeletal X-rays;

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

15 (4) fingerprints from the remains;

16 (5) tissue samples suitable for DNA analysis;

17 (6) (blank); and

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

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

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

1 (e) (Blank).

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

10 (f-5) Fingerprints from the unidentified remains,  
11 including partial prints, shall be submitted to the Illinois  
12 State Police or other resource for the purpose of attempting  
13 to identify the deceased. The coroner or medical examiner  
14 shall cause a dental examination to be performed by a forensic  
15 odontologist for the purpose of dental charting, comparison to  
16 missing person records, or both. Tissue samples collected for  
17 DNA analysis shall be submitted within 30 days of the recovery  
18 of the remains to a National Missing and Unidentified Persons  
19 System partner laboratory or other resource where DNA profiles  
20 are entered into the National DNA Index System upon completion  
21 of testing. Forensic anthropological analysis of the remains  
22 shall also be considered.

23 (g) (Blank).

24 (g-2) The medical examiner or coroner shall report the  
25 unidentified human remains and the location where the remains  
26 were found to the Illinois State Police within 24 hours of

1 discovery and then to the Federal Bureau of Investigation  
2 within 72 hours of discovery if the remains are not identified  
3 as mandated by Section 15 of this Act. The assisting law  
4 enforcement agency, medical examiner, or coroner shall contact  
5 the Illinois State Police to request the creation of a  
6 National Crime Information Center Unidentified Person record  
7 within 5 days of the discovery of the remains. The assisting  
8 law enforcement agency, medical examiner, or coroner shall  
9 provide the Illinois State Police all information required for  
10 National Crime Information Center entry. Upon notification,  
11 the Illinois State Police shall create the Unidentified Person  
12 record without unnecessary delay.

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

24 (h) (Blank).

25 (h-5) The assisting law enforcement agency, medical  
26 examiner, or coroner shall create an unidentified person

1 record in the National Missing and Unidentified Persons System  
2 prior to the submission of samples or within 30 days of the  
3 discovery of the remains, if no identification has been made.  
4 The entry shall include all available case information  
5 including fingerprint data and dental charts. Samples shall be  
6 submitted to a National Missing and Unidentified Persons  
7 System partner laboratory for DNA analysis within 30 Days. A  
8 notation of DNA submission shall be made within the National  
9 Missing and Unidentified Persons System Unidentified Person  
10 record.

11 (i) Nothing in this Act shall be interpreted to preclude  
12 any assisting law enforcement agency, medical examiner,  
13 coroner, or the Illinois State Police from pursuing other  
14 efforts to identify human remains including efforts to  
15 publicize information, descriptions, or photographs related to  
16 the investigation.

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

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

24 (Text of Section after amendment by P.A. 104-339)

25 Sec. 20. Unidentified persons or human remains

1 identification responsibilities.

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

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

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

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

20 (2) dental and skeletal radiographs;

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

23 (4) fingerprints from the remains;

24 (5) tissue samples suitable for DNA analysis;

25 (6) (blank); and

26 (7) any other information that may support

1 identification efforts.

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

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

9 (e) (Blank).

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

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

21 (1) local criminal history repositories;

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

25 (3) the Next Generation Integrated Automated  
26 Fingerprint Identification System (NGI) and other federal

1 fingerprint databases, including immigration and military  
2 databases and the Repository for Individuals of Special  
3 Concern (RISC), and any successor databases.

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

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

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

15 If there are no matches in any of the local, State, and  
16 federal automated fingerprint identification system databases,  
17 the unidentified fingerprint records shall be uploaded to the  
18 National Missing and Unidentified Persons System (NamUs)  
19 within 60 days after recovery of the remains. If no matches are  
20 made in the local, State, and federal automated fingerprint  
21 identification system databases, the submitting agency may  
22 contact the International Criminal Police Organization  
23 (INTERPOL) to search through the automated fingerprint  
24 identification system databases of member countries if remains  
25 are believed to have an international nexus. If the  
26 fingerprint analysis does not aid in the identification of the

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

21 (g) (Blank).

22 (g-2) The medical examiner<sup>7</sup> or coroner shall cause the  
23 entry of a National Crime Information Center Unidentified  
24 Person record within 5 days of the discovery of the remains. In  
25 the case of markedly decomposed or skeletal remains, the  
26 creation of a National Crime Information Center (NCIC)

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

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

24 (h) (Blank).

25 (h-5) No later than 60 days following the discovery of the  
26 remains, the assisting law enforcement agency, medical

1 examiner, or coroner shall create an unidentified person  
2 record in the National Missing and Unidentified Persons System  
3 if no identification has been made. The entry shall include  
4 all available case information, including fingerprint data and  
5 dental radiographs and charts. A notation of DNA submission  
6 shall be made within the National Missing and Unidentified  
7 Persons System Unidentified Person record.

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

22 (j) For historic or prehistoric human skeletal remains  
23 determined by an anthropologist to be older than 100 years,  
24 jurisdiction shall be transferred to the Department of Natural  
25 Resources for further investigation under the Archaeological  
26 and Paleontological Resources Protection Act.

1 (Source: P.A. 104-339, eff. 1-1-26; revised 9-10-25.)

2 (50 ILCS 722/25)

3 (Text of Section before amendment by P.A. 104-339)

4 Sec. 25. Unidentified persons. The coroner or medical  
5 examiner shall obtain a DNA sample from any individual whose  
6 remains are not identifiable. The DNA sample shall be  
7 forwarded to a National Missing and Unidentified Persons  
8 System partner laboratory or other resource for analysis and  
9 inclusion in the National DNA Index System.

10 Prior to the burial or interment of any unknown  
11 individual's remains or any unknown individual's body part,  
12 the medical examiner or coroner in possession of the remains  
13 or body part must assign a DNA log number to the unknown  
14 individual or body part. The medical examiner or coroner shall  
15 place a tag that is stamped or inscribed with the DNA log  
16 number on the individual or body part. The DNA log number shall  
17 be stamped on the unidentified individual's toe tag, if  
18 possible.

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

20 (Text of Section after amendment by P.A. 104-339)

21 Sec. 25. Unidentified deceased persons. The coroner,  
22 medical examiner, or assisting law enforcement agency shall  
23 obtain a biological sample from any individual whose remains  
24 are not identifiable. The biological sample shall be forwarded

1 to an accredited forensic laboratory for DNA testing for entry  
2 by a Combined DNA Index System (CODIS) participating  
3 laboratory where eligible DNA profiles are entered into the  
4 Combined DNA Index System (CODIS) ~~the appropriate State and~~  
5 ~~National DNA Index System~~ within 90 days from the discovery of  
6 the remains.

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 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 number on the individual or body part and on  
14 the outside of the burial container.

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

16 Section 95. No acceleration or delay. Where this Act makes  
17 changes in a statute that is represented in this Act by text  
18 that is not yet or no longer in effect (for example, a Section  
19 represented by multiple versions), the use of that text does  
20 not accelerate or delay the taking effect of (i) the changes  
21 made by this Act or (ii) provisions derived from any other  
22 Public Act.