

1 AN ACT concerning government.

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

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

6 (50 ILCS 722/5)

7 Sec. 5. Missing person reports.

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

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

23 (2) on the basis that the circumstances do not

1 indicate foul play;

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

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

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

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

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

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

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

18 (9-5) on the basis of the missing person's mental
19 state or medical condition. ~~or~~

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

21 (a-10) Multiple reports for same missing person. If the
22 law enforcement agency learns through investigation that a
23 missing person report has been filed by another law
24 enforcement agency for the same missing person and is under
25 active investigation by that agency and if a missing person
26 entry is active in the Law Enforcement Agencies Data System

1 (LEADS), then the law enforcement agency may not draft an
2 additional missing person report but shall draft an
3 informational report detailing the interview of the reporting
4 individual. The informational report shall be forwarded to the
5 original law enforcement agency handling the missing person
6 case without delay. A second or subsequent agency is not
7 prohibited from entering a duplicate missing person report in
8 LEADS; however, only one LEADS missing person report is
9 required. Any existing LEADS missing person report may be
10 modified by the originating agency to include additional or
11 updated information.

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

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

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

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

26 (3) the missing person's identifying marks, such as

- 1 birthmarks, moles, tattoos, and scars;
- 2 (4) the missing person's height and weight;
- 3 (5) the missing person's gender;
- 4 (6) the missing person's race;
- 5 (7) the missing person's current hair color and true
- 6 or natural hair color;
- 7 (8) the missing person's eye color;
- 8 (9) the missing person's prosthetics, surgical
- 9 implants, or cosmetic implants;
- 10 (10) the missing person's physical anomalies;
- 11 (11) the missing person's blood type, if known;
- 12 (12) the missing person's driver's license number, if
- 13 known;
- 14 (13) the missing person's social security number, if
- 15 known;
- 16 (14) a photograph of the missing person; recent
- 17 photographs are preferable and the agency is encouraged to
- 18 attempt to ascertain the approximate date the photograph
- 19 was taken;
- 20 (15) a description of the clothing the missing person
- 21 was believed to be wearing;
- 22 (16) a description of items that might be with the
- 23 missing person, such as jewelry, accessories, and shoes or
- 24 boots;
- 25 (17) information on the missing person's electronic
- 26 communications devices, such as cellular telephone numbers

1 and e-mail addresses;

2 (18) the reasons why the reporting individual believes
3 that the person is missing;

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

6 (20) the name and location of the missing person's
7 dentist or primary care physician or provider, or both, if
8 known;

9 (21) any circumstances that may indicate that the
10 disappearance was not voluntary;

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

13 (23) a description of the possible means of
14 transportation of the missing person, including make,
15 model, color, license number, and Vehicle Identification
16 Number of a vehicle;

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

20 (A) name;

21 (B) a physical description;

22 (C) date of birth;

23 (D) identifying marks;

24 (E) the description of possible means of
25 transportation, including make, model, color, license
26 number, and Vehicle Identification Number of a

1 vehicle;

2 (F) known associates;

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

5 (26) the date of last contact.

6 (c-5) Collection of evidence. Nothing prohibits the
7 collection of photographs, documents, biological samples,
8 dental charts, radiographs, or fingerprints at the start of a
9 missing person investigation.

10 (c-10) LEADS entry requirement. Using the information
11 gathered in subsection (c) for the missing person report, the
12 law enforcement agency shall immediately enter a missing
13 person report in LEADS.

14 (d) Notification and follow up action.

15 (1) Notification. The law enforcement agency shall
16 notify the person making the report, a family member, a
17 person responsible for the missing person's welfare, or
18 other person in a position to assist the law enforcement
19 agency in its efforts to locate the missing person of the
20 following:

21 (A) general information about the handling of the
22 missing person case or about intended efforts in the
23 case to the extent that the law enforcement agency
24 determines that disclosure would not adversely affect
25 its ability to locate or protect the missing person or
26 to apprehend or prosecute any person criminally

1 involved in the disappearance;

2 (A-5) information regarding the collection of
3 documents and biological samples that could assist in
4 the identification of a missing person, including
5 dental charts and radiographs, medical records,
6 fingerprints, and biological samples from the person's
7 personal items or from the missing person's immediate
8 biological family members;

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

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

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

1 National Missing and Unidentified Persons System (NamUs)
2 organization shall be given.

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

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

18 (A) Additional photographs of the missing person
19 that may aid the investigation or identification of an
20 unidentified person, including photographs of the
21 missing person's scars, marks, and tattoos. All
22 photographs of the missing person that the law
23 enforcement agency collected shall be added to the
24 National Missing and Unidentified Persons System
25 (NamUs) record. The law enforcement agency is not
26 required to obtain written authorization before it

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

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

26 (C) (Blank). ~~any additional photographs of the~~

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

6 (D) Dental charts and radiographs of the missing
7 person, if available. If a missing person remains
8 missing for 60 days after the date of the police report
9 and missing for 60 days after the date of the police
10 report in the National Missing and Unidentified
11 Persons System (NamUs), then the missing person's
12 dental record shall be added to the missing person
13 entry in the Law Enforcement Agencies Data System
14 (LEADS). The dental records may be used only for
15 direct comparison to the dental records of
16 unidentified persons. ~~dental information and x rays;~~
17 ~~and~~

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

26 (3) Biological samples ~~Samples~~ collected for DNA

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

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

25 (5) Law enforcement agencies are encouraged to
26 establish written protocols for the handling of missing

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

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

11 (50 ILCS 722/10)

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

14 (a) Prompt determination and definition of a high-risk
15 missing person.

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

22 (A) the person is missing as a result of a stranger
23 abduction;

24 (B) the person is missing under suspicious
25 circumstances;

1 (C) the person is missing under unknown
2 circumstances;

3 (D) the person is missing under known dangerous
4 circumstances;

5 (E) the person is missing more than 60 days ~~30~~
6 ~~days~~;

7 (F) the person has already been designated as a
8 high-risk missing person by another law enforcement
9 agency;

10 (G) there is evidence that the person is at risk
11 because:

12 (i) the person is in need of medical
13 attention, including but not limited to persons
14 with dementia-like symptoms, or prescription
15 medication;

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

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

20 (iv) the person is mentally impaired,
21 including, but not limited to, a person having a
22 developmental disability, as defined in Section
23 1-106 of the Mental Health and Developmental
24 Disabilities Code, or a person having an
25 intellectual disability, as defined in Section
26 1-116 of the Mental Health and Developmental

1 Disabilities Code;

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

3 (vi) the person has been the subject of past
4 threats or acts of violence;

5 (vii) the person has gone missing ~~eloped~~ from
6 a facility licensed under the Nursing Home Care
7 Act ~~nursing home~~;

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

14 (H) any other factor that may, in the judgment of
15 the law enforcement official, indicate that the
16 missing person may be at risk.

17 (b) Law enforcement risk assessment.

18 (1) Upon initial receipt of a missing person report,
19 the law enforcement agency shall immediately determine
20 whether there is a basis to determine that the missing
21 person is a high-risk missing person.

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

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

4 (c) Law enforcement reporting.

5 (1) Upon receipt of a missing person report, the ~~The~~
6 responding local law enforcement agency shall ~~immediately~~
7 enter all collected information relating to the missing
8 person case in the Law Enforcement Agencies Data System
9 (LEADS) and the National Crime Information Center (NCIC).
10 The database entries shall remain on file indefinitely or
11 until action is taken by the originating agency to clear
12 or cancel the record. In addition, if the missing person
13 remains missing for 60 days after the date of report, the
14 law enforcement agency shall immediately generate a report
15 of the missing person within the National Missing and
16 Unidentified Persons System (NamUs) as required under
17 paragraph (2) of subsection (d) of Section 5 ~~databases and~~
18 ~~the National Missing and Unidentified Persons System~~
19 ~~(NamUs) within 45 days after the receipt of the report, or~~
20 ~~in the case of a high risk missing person, within 30 days~~
21 ~~after the receipt of the report. If the DNA sample~~
22 ~~submission is to a National Missing and Unidentified~~
23 ~~Persons System (NamUs) partner laboratory, the DNA profile~~
24 ~~may be uploaded by the partner laboratory to the National~~
25 ~~DNA Index System (NDIS). A packet submission of all~~
26 ~~relevant reports and DNA samples may be sent to the~~

1 ~~National Missing and Unidentified Persons System (NamUs)~~
2 ~~within 30 days for any high-risk missing person cases. The~~
3 ~~information shall be provided in accordance with~~
4 ~~applicable guidelines relating to the databases. The~~
5 information shall be entered as follows:

6 (A) For ~~if~~ Illinois State Police laboratories or
7 other accredited laboratories, all are utilized in
8 ~~lieu of National Missing and Unidentified Persons~~
9 ~~System (NamUs) partner~~ laboratories, all appropriate
10 DNA profiles, as determined by the Illinois State
11 Police, shall be uploaded into the appropriate index
12 ~~missing person databases~~ of the State DNA Index System
13 (SDIS) and National DNA Index System (NDIS) after
14 completion of the DNA analysis and other procedures
15 required for database entry. The responding local law
16 enforcement agency shall attempt to collect and may
17 submit any DNA samples voluntarily obtained from
18 family members to an accredited Combined DNA Index
19 System (CODIS) ~~a National Missing and Unidentified~~
20 ~~Persons System (NamUs) partner~~ laboratory for DNA
21 analysis within 90 30 days from the date of the police
22 report. A notation of DNA submission may be made
23 within the National Missing and Unidentified Persons
24 System (NamUs) record.

25 (B) If the missing person remains missing for 60
26 days from the date of report and if reporting

1 requirements for entry into ~~Information relevant to~~
2 the Federal Bureau of Investigation's Violent Criminal
3 Apprehension Program are met, the law enforcement
4 agency shall enter the missing person case into the
5 Federal Bureau of Investigation's Violent Criminal
6 Apprehension Program database ~~be entered as soon as~~
7 ~~possible.~~

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

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

25 (3) The local law enforcement agencies that receive
26 the notification from the Illinois State Police shall

1 notify officers to be on the lookout for the missing
2 person or a suspected abductor.

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

8 (Source: P.A. 101-81, eff. 7-12-19; 101-266, eff. 1-1-21;
9 102-538, eff. 8-20-21.)

10 (50 ILCS 722/20)

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

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

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

22 (b) Notwithstanding any other action deemed appropriate
23 for the handling of the human remains, the assisting law
24 enforcement agency, medical examiner, or coroner shall make
25 reasonable attempts to promptly identify human remains. This

1 does not include historic or prehistoric skeletal remains.
2 These actions shall include, but are not limited to, obtaining
3 the following when possible:

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

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

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

9 (4) fingerprints from the remains;

10 (5) tissue samples suitable for DNA analysis;

11 (6) (blank); and

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

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

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

21 (e) (Blank).

22 (f) The assisting law enforcement agency, medical
23 examiner, or coroner shall seek support from appropriate State
24 and federal agencies, including National Missing and
25 Unidentified Persons System resources to facilitate prompt
26 identification of human remains. This support may include, but

1 is not limited to, fingerprint comparison; forensic
2 odontology; nuclear or mitochondrial DNA analysis, or both;
3 and forensic anthropology.

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

7 (1) local criminal history repositories;

8 (2) the Illinois State Police Automated Biometric
9 Identification System (ABIS), both criminal and civil, and
10 any successor databases; and

11 (3) the Next Generation Integrated Automated
12 Fingerprint Identification System (NGI) and other federal
13 fingerprint databases, including immigration and military
14 databases and the Repository for Individuals of Special
15 Concern (RISC), and any successor databases.

16 It is the responsibility of the submitting agency to
17 ensure the following steps are completed in the following
18 order:

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

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

1 If there are no matches in any of the local, State, and
2 federal automated fingerprint identification system databases,
3 the unidentified fingerprint records shall be uploaded to the
4 National Missing and Unidentified Persons System (NamUs)
5 within 60 days after recovery of the remains. If no matches are
6 made in the local, State, and federal automated fingerprint
7 identification system databases, the submitting agency may
8 contact the International Criminal Police Organization
9 (INTERPOL) to search through the automated fingerprint
10 identification system databases of member countries if remains
11 are believed to have an international nexus. If the
12 fingerprint analysis does not aid in the identification of the
13 remains, then the assisting law enforcement agency, coroner,
14 or medical examiner shall cause a dental examination to be
15 performed by a forensic odontologist within 45 days of
16 recovery of the remains for the purpose of dental charting,
17 direct comparison to missing person dental records, and
18 uploading to the National Crime Information Center (NCIC) and
19 National Missing and Unidentified Persons System (NamUs). If
20 the fingerprint and dental analysis does not aid in the
21 identification of the remains, then blood, tissue, or bone
22 samples from the unidentified remains shall be submitted for
23 DNA analysis within 90 days of the recovery of the remains to a
24 Combined DNA Index System (CODIS) accredited laboratory where
25 DNA profiles are entered into the National DNA Index System
26 upon completion of testing. In the case of markedly decomposed

1 or skeletal remains, a forensic anthropological analysis of
2 the remains, authorized by the coroner or medical examiner,
3 shall also be performed within 60 days from the recovery and
4 preparation of the remains for the analysis.

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

18 (g) (Blank).

19 (g-2) ~~The medical examiner or coroner shall report the~~
20 ~~unidentified human remains and the location where the remains~~
21 ~~were found to the Illinois State Police within 24 hours of~~
22 ~~discovery and then to the Federal Bureau of Investigation~~
23 ~~within 72 hours of discovery if the remains are not identified~~
24 ~~as mandated by Section 15 of this Act. The assisting law~~
25 ~~enforcement agency, medical examiner, or coroner shall cause~~
26 ~~contact the Illinois State Police to request the entry~~

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

19 (g-5) The ~~assisting law enforcement agency,~~ medical
20 examiner~~,~~ or coroner shall obtain a National Crime Information
21 Center number from the assisting law enforcement agency
22 ~~Illinois State Police~~ to verify entry and maintain this number
23 within the unidentified human remains case file. A National
24 Crime Information Center Unidentified Person record shall
25 remain on file indefinitely or until action is taken by the
26 originating agency to clear or cancel the record. The

1 ~~assisting law enforcement agency,~~ medical examiner, or coroner
2 shall notify the assisting law enforcement agency ~~Illinois~~
3 ~~State Police~~ of necessary record modifications or cancellation
4 if identification is made.

5 (h) (Blank).

6 (h-5) No later than 60 days following the discovery of the
7 remains, the ~~The~~ assisting law enforcement agency, medical
8 examiner, or coroner shall create an unidentified person
9 record in the National Missing and Unidentified Persons System
10 ~~prior to the submission of samples or within 30 days of the~~
11 ~~discovery of the remains,~~ if no identification has been made.
12 The entry shall include all available case information,
13 including fingerprint data and dental radiographs and charts.
14 ~~Samples shall be submitted to a National Missing and~~
15 ~~Unidentified Persons System partner laboratory for DNA~~
16 ~~analysis within 30 Days.~~ A notation of DNA submission shall be
17 made within the National Missing and Unidentified Persons
18 System Unidentified Person record.

19 (i) Nothing in this Act shall be interpreted to preclude
20 any assisting law enforcement agency, medical examiner,
21 coroner, or the Illinois State Police from pursuing other
22 efforts to identify human remains including efforts to
23 publicize information, descriptions, or photographs related to
24 the investigation. An assisting law enforcement agency, a
25 medical examiner, a coroner, or the Illinois State Police may
26 not close an unidentified person case until the individual has

1 been identified. Law enforcement agencies, medical examiners,
2 and coroners shall keep such cases under active investigation
3 until the person is identified. Reasons for closing an
4 unidentified person case may not include exhaustion of leads
5 or termination of the anticipated life span of the missing
6 person's next of kin.

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

12 (Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21;
13 102-869, eff. 1-1-23.)

14 (50 ILCS 722/25)

15 Sec. 25. Unidentified deceased persons. The coroner, ~~or~~
16 medical examiner, or assisting law enforcement agency shall
17 obtain a biological ~~DNA~~ sample from any individual whose
18 remains are not identifiable. The biological ~~DNA~~ sample shall
19 be forwarded to an accredited Combined DNA Index System
20 (CODIS) laboratory where DNA profiles are entered into a
21 ~~National Missing and Unidentified Persons System partner~~
22 ~~laboratory or other resource for analysis and inclusion in the~~
23 appropriate State and National DNA Index System within 90 days
24 from the discovery of the remains.

25 Prior to the burial or interment of any unknown

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

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