

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 15 and 20 as follows:

6 (50 ILCS 722/15)

7 Sec. 15. Reporting of unidentified persons and human  
8 remains.

9 (a) Handling of death scene investigations.

10 (1) The Illinois State Police shall provide  
11 information to local law enforcement agencies about best  
12 practices for handling death scene investigations.

13 (2) The Illinois State Police shall identify any  
14 publications or training opportunities that may be  
15 available to local law enforcement agencies or law  
16 enforcement officers and coroners and medical examiners  
17 concerning the handling of death scene investigations.

18 (b) Law enforcement reports.

19 (1) Before performing any death scene investigation  
20 deemed appropriate under the circumstances, the official  
21 with custody of the human remains shall ensure that the  
22 coroner or medical examiner of the county in which the  
23 deceased was found has been notified.

1           (2) Any coroner or medical examiner with custody of  
2 human remains that are not identified within 24 hours of  
3 discovery shall promptly notify the Illinois State Police  
4 of the location of those remains. A coroner or medical  
5 examiner with custody of human remains that are not  
6 identified within 72 hours of discovery shall promptly  
7 notify the Federal Bureau of Investigation of the location  
8 of those remains and the failure to identify the remains.

9           (3) If the coroner or medical examiner with custody of  
10 remains cannot determine whether or not the remains found  
11 are human, the coroner or medical examiner shall notify  
12 the Illinois State Police of the existence of possible  
13 human remains.

14 (Source: P.A. 102-538, eff. 8-20-21.)

15 (50 ILCS 722/20)

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

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

22 (a-5) If the official with custody of the human remains is  
23 not a coroner or medical examiner, the official shall  
24 immediately notify the coroner or medical examiner of the  
25 county in which the remains were found. The coroner or medical

1 examiner shall go to the scene and take charge of the remains.

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

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

11 (2) dental and skeletal X-rays;

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

14 (4) fingerprints from the remains;

15 (5) tissue samples suitable for DNA analysis;

16 (6) (blank); and

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

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

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

26 (e) (Blank).

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

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

22 (g) (Blank).

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

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

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

23 (h) (Blank).

24 (h-5) The assisting law enforcement agency, medical  
25 examiner, or coroner shall create an unidentified person  
26 record in the National Missing and Unidentified Persons System

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

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

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

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