

1 AN ACT concerning criminal law.

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

4 Section 5. The Code of Criminal Procedure of 1963 is  
5 amended by adding Section 115-9.2 as follows:

6 (725 ILCS 5/115-9.2 new)

7 Sec. 115-9.2. Currency used in undercover investigation.

8 (a) In a prosecution in which United States currency was  
9 used by a law enforcement officer or agency or by a person  
10 acting under the direction of a law enforcement officer or  
11 agency in an undercover investigation of an offense that has  
12 imprisonment as an available sentence for a violation of the  
13 offense, the court shall receive, as competent evidence, a  
14 photograph, photostatic copy, or photocopy of the currency used  
15 in the undercover investigation, if the photograph,  
16 photostatic copy, or photocopy:

17 (1) will serve the purpose of demonstrating the nature  
18 of the currency;

19 (2) the individual serial numbers of the currency are  
20 clearly visible or if the amount of currency exceeds \$500  
21 the individual serial numbers of a sample of 10% of the  
22 currency are clearly visible, and any identification marks  
23 placed on the currency by law enforcement as part of the

1 investigation are clearly visible;

2 (3) complies with federal law, rule, or regulation  
3 requirements on photographs, photostatic copies, or  
4 photocopies of United States currency; and

5 (4) is otherwise admissible into evidence under all  
6 other rules of law governing the admissibility of  
7 photographs, photostatic copies, or photocopies into  
8 evidence.

9 (b) The fact that it is impractical to introduce into  
10 evidence the actual currency for any reason, including its  
11 size, weight, or unavailability, need not be established for  
12 the court to find a photograph, photostatic copy, or photocopy  
13 of that currency to be competent evidence.

14 (c) If a photograph, photostatic copy, or photocopy is  
15 found to be competent evidence under this Section, it is  
16 admissible into evidence in place of the currency and to the  
17 same extent as the currency itself.