



Sen. John G. Mulroe

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1 AMENDMENT TO SENATE BILL 211

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 211 by replacing  
3 everything after the enacting clause with the following:

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:

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

3           (2) the individual serial numbers of the currency are  
4           clearly visible or if the amount of currency exceeds \$500  
5           the individual serial numbers of a sample of 10% of the  
6           currency are clearly visible, and any identification marks  
7           placed on the currency by law enforcement as part of the  
8           investigation are clearly visible;

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

12           (4) is otherwise admissible into evidence under all  
13           other rules of law governing the admissibility of  
14           photographs, photostatic copies, or photocopies into  
15           evidence.

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

21           (c) If a photograph, photostatic copy, or photocopy is  
22           found to be competent evidence under this Section, it is  
23           admissible into evidence in place of the currency and to the  
24           same extent as the currency itself."