

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 changing Section 115-7.4 as follows:

6 (725 ILCS 5/115-7.4)

7 Sec. 115-7.4. Evidence in domestic violence cases.

8 (a) In a criminal prosecution in which the defendant is  
9 accused of an offense of domestic violence as defined in  
10 paragraphs (1) and (3) of Section 103 of the Illinois Domestic  
11 Violence Act of 1986, or first degree murder or second degree  
12 murder when the commission of the offense involves domestic  
13 violence, evidence of the defendant's commission of another  
14 offense or offenses of domestic violence is admissible, and may  
15 be considered for its bearing on any matter to which it is  
16 relevant.

17 (b) In weighing the probative value of the evidence against  
18 undue prejudice to the defendant, the court may consider:

19 (1) the proximity in time to the charged or predicate  
20 offense;

21 (2) the degree of factual similarity to the charged or  
22 predicate offense; or

23 (3) other relevant facts and circumstances.

1           (c) In a criminal case in which the prosecution intends to  
2 offer evidence under this Section, it must disclose the  
3 evidence, including statements of witnesses or a summary of the  
4 substance of any testimony, at a reasonable time in advance of  
5 trial, or during trial if the court excuses pretrial notice on  
6 good cause shown.

7           (d) In a criminal case in which evidence is offered under  
8 this Section, proof may be made by specific instances of  
9 conduct, testimony as to reputation, or testimony in the form  
10 of an expert opinion, except that the prosecution may offer  
11 reputation testimony only after the opposing party has offered  
12 that testimony.

13           (Source: P.A. 95-360, eff. 8-23-07.)

14           Section 99. Effective date. This Act takes effect upon  
15 becoming law.