

1 AN ACT in relation to 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 108-15 as follows:

6 (725 ILCS 5/108-15 new)

7 Sec. 108-15. Maintenance of evidence.

8 (a) A law enforcement agency shall list on schedules all
9 existing items of relevant evidence collected in a criminal
10 investigation, including exculpatory evidence, and the
11 location of that evidence.

12 (b) Each law enforcement agency must assign to specific
13 peace officers or employees of the law enforcement agency the
14 duty to maintain and list the evidence and the persons
15 assigned to this duty must certify their compliance with
16 subsection (a) to the prosecutor assigned to prosecute the
17 case.

18 (c) Each law enforcement agency must give copies of the
19 schedules to the prosecutor assigned to prosecute the case.

20 (d) The law enforcement agency must give the prosecutor
21 access to all investigatory materials in its possession.

22 (e) In this Section, "law enforcement agency" means the
23 Department of State Police, the Office of the county sheriff,
24 a municipal police department, or any other agency whose
25 officers are vested by law to make arrests in criminal cases
26 and seize and maintain evidence for trial of a criminal case;
27 and "prosecutor" means a State's Attorney, assistant State's
28 Attorney, Attorney General, assistant or deputy Attorney
29 General, or a special assistant Attorney General or special
30 assistant State's Attorney who is assigned to prosecute a
31 criminal case.