

SB3757



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3757

Introduced 2/10/2012, by Sen. Antonio Muñoz

SYNOPSIS AS INTRODUCED:

735 ILCS 5/Art. VIII Pt. 29 heading new
735 ILCS 5/8-2901 new

Amends the Code of Civil Procedure. Provides that in an action concerning a motor vehicle accident in which a personal injury or property damage is in issue, a photograph of a motor vehicle or other property is deemed relevant and admissible into evidence if authenticated by a lay or occurrence witness with personal knowledge that the photograph accurately portrays the vehicle or property as it appeared before or after the accident. It is not necessary that an expert or opinion witness testify about the photograph's relevance or any correlation between the vehicular or property damage and the claimed injury which may have been caused by the incident which caused the property damage.

LRB097 16318 AJO 65724 b

A BILL FOR

1 AN ACT concerning civil 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 Civil Procedure is amended by adding
5 Part 29 to Article VIII as follows:

6 (735 ILCS 5/Art. VIII Pt. 29 heading new)

7 Part 29. Photographs

8 (735 ILCS 5/8-2901 new)

9 Sec. 8-2901. Admissibility of evidence; photographs. In
10 any action concerning a motor vehicle accident or occurrence
11 wherein personal injury or damage to property is in issue,
12 photographs of the motor vehicle or other property shall be
13 deemed relevant and shall be admissible into evidence upon
14 authentication by a lay or occurrence witness with personal
15 knowledge that the photograph truly and accurately portrays the
16 vehicle or other property as it appeared before or after the
17 motor vehicle accident or occurrence which is the subject of
18 the action. It is not necessary for admission of the photograph
19 into evidence that an expert or opinion witness testify as to
20 the relevance of the photograph or to the correlation between
21 the vehicular damage or other property damage and any claimed
22 personal injury which may have been caused by the accident or

1 occurrence which caused damage to the motor vehicle or other
2 property.