



Rep. John M. Cabello

Filed: 3/17/2016

09900HB4872ham001

LRB099 18055 SLF 46334 a

1 AMENDMENT TO HOUSE BILL 4872

2 AMENDMENT NO. _____. Amend House Bill 4872 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."