

Digest of Bills



2020 Spring Session
of the Illinois General Assembly

FOREWORD

July 2020

This summary of bills passed during the Spring Session of the Illinois General Assembly has been compiled to allow local school officials an opportunity to review the actions of the General Assembly and the Governor during this brief legislative session.

The Illinois Association of School Boards lobbying team has made every effort to identify and include in this publication any bill that affects the schools. Also, please note that the synopsis of each bill is brief and may or may not encompass the full content or impact of the bill. Rather, the synopsis is designed to call to the readers' attention any proposed statutory changes and additions that may merit further research. For full meaning, it may be necessary to obtain a copy of the complete bill.

Copies of bills may be obtained from the Illinois Legislative Information System website at www.ilga.gov/.

In locating bills of interest to you, note that the bill summaries are organized under subject matter categories arranged alphabetically as shown in the Table of Contents. In addition, two indexes are provided which may be used to identify a bill by title or number. Also included is a heading of "Last Action" after each bill description, a section labeled Gubernatorial Action Bills, and a section on Determining Effective Dates; these additions should help you determine where the bill is in the process.

If you have any questions about legislation please call the Illinois Association of School Boards and ask for the Governmental Relations staff. We welcome your comments and suggestions regarding the content and format of this publication.

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BOARDS OF EDUCATION

HB 2096

Contract Bidding

Sponsors

House: Willis

Senate: Murphy, L. – Lightford

Chapter Reference:

30 ILCS 805/8.44 new

60 ILCS 1/30-5

60 ILCS 1/30-10

75 ILCS 5/4-7

75 ILCS 16/30-55.60

105 ILCS 5/10-20.21

305 ILCS 5/6-1.2

305 ILCS 5/6-2

305 ILCS 5/6-10

310 ILCS 10/8.2

310 ILCS 10/14

310 ILCS 10/24

Summary: The bill is the local government omnibus bill. The legislation contains numerous provisions addressing issues local governments at all levels have faced due to the pandemic. For school districts, the legislation contains a provision that allows bids for contracts over \$25,000 for construction purposes to be “communicated, accepted, or opened electronically”.

Vote: House 111-0; Senate 54-0

Last Action: Public Act 101-0632, Effective date: June 5, 2020

SB 1569

Education Executive Order Codification

Sponsors

Senate: Bertino-Tarrant – Lightford – Martinez – Manar – Collins

House: Davis – Stuart – Scherer

Chapter Reference:

105 ILCS 5/1H-115

105 ILCS 5/2-3.64a-5

105 ILCS 5/2-3.71

105 ILCS 5/10-19

105 ILCS 5/10-19.05

105 ILCS 5/10-20.56

105 ILCS 5/10-30 new

105 ILCS 5/17-2.11

105 ILCS 5/17-2A

105 ILCS 5/18-8.15

105 ILCS 5/21B-45

105 ILCS 5/21B-110 new

105 ILCS 5/21B-115 new

105 ILCS 5/22-89 new

105 ILCS 5/24-11

105 ILCS 5/24-12

105 ILCS 5/24A-5

105 ILCS 5/27-3

105 ILCS 5/27-6.5

105 ILCS 5/27-8.1

105 ILCS 5/27-21

105 ILCS 5/27-22

105 ILCS 5/34-2.1

105 ILCS 5/34-2.2

105 ILCS 5/34-18.66 new

110 ILCS 152/20

110 ILCS 205/9.39 new

110 ILCS 947/65.100

Summary: The bill codifies many of the provisions previously contained in Executive Orders by the Governor, and guidance documents and emergency rules promulgated by the Illinois State Board of Education (ISBE).

The bill:

- Allows ISBE to extend school district Financial Oversight Panels up to 10 additional years.
- Removes the requirement for standardized assessments if the U.S. Department of Education provides a waiver of such.
- Defines school employees as essential workers for providing early childhood programs under the ISBE grant program.
- Provides that in the immediate two consecutive tax years following receipt of a Property Tax Relief Pool Grant the aggregate extension base (rather than levy) of the school district, for the purposes of PTELL, shall include the tax relief the school district provided in the previous taxable year.
- Allows for up to five remote learning planning days as pupil attendance days for calculation of length of school term.
- Waives the five clock-hour requirement for school attendance during the COVID-19 crisis.
- Allows school districts to utilize E-learning days for remote learning days.
- Requires that within 10 days after the school or regional superintendent receives information of a pending criminal charge against a license holder for certain offenses, they must notify the State Superintendent of the criminal charge.
- Provides authorization for remote learning, E-learning and blended delivery of education when schools are closed due to a public health emergency.
- Stipulates that creating a remote learning program does not change any current, create any new, or remove any existing employee bargaining rights.
- Makes further clarification regarding the information that must be shared with parents of special education students and their individualized education plan (IEP) that will be considered by an IEP team. It also requires a log to be kept regarding services a student receives and removes language regarding the systems of support school districts may utilize and information that can be used in evaluations. It further requires certain information regarding Response to Intervention (RTI) be provided by written notice to parents.
- Extends the expiration date for one year, allowing school districts to utilize interfund transfers.

- Provides a calculation for funding under the Evidence-Based Funding formula for school districts under an independent authority or oversight by ISBE.
- Removes work proficiency tests for career and technical educator license endorsements, eliminates school support personnel intern endorsement, and allows visiting international educator endorsement to be valid for five years.
- Authorizes automatic renewal of teachers' licenses that were set to expire June 30, 2020 for one year to June 30, 2021.
- Extends the deadline for teacher licensure students to finish the ISBE teacher performance assessment (EdTPA).
- Waives certain requirements for student teacher applicants during a public health emergency and allows student teachers to complete student teaching requirements through remote learning, and waive certain requirements for student teaching and business management internships.
- Waives student curricular mandates regarding Patriotism and Representative Government, Physical Education, graduation requirements, and others during a declared disaster.
- Disallows schools from withholding a child's report card for not submitting proof of a dental or vision exam during a declared state public health emergency.
- Allows teacher evaluations that were not finished before schools were closed for in school instruction in March to default to "proficient" for unfinished evaluations, though those teachers whose last evaluation was rated "excellent" will be evaluated "excellent" for 2019-20. It also allows a school board and bargaining representative to mutually agree, in writing, to an alternate performance rating for teacher not in contractual continued service during the declared disaster.
- Waives the timelines connected to teacher remediation plans except if the parties mutually agree otherwise in writing.

Vote: Senate 34-3; House 114-1

Last Action: Public Act 101-0643, Effective date: June 18, 2020

SB 1863

Election Day Holiday

Sponsors

Senate: Morrison, J. – Sims – Manar – Villivalam – Aquino

House: Burke – Stuart – Conroy – Ammons

Chapter Reference:

5 ILCS 100/5-45.1 new
 10 ILCS 5/Art. 2B heading new
 10 ILCS 5/2B-1 new
 10 ILCS 5/2B-5 new
 10 ILCS 5/2B-10 new
 10 ILCS 5/2B-15 new
 10 ILCS 5/2B-20 new
 10 ILCS 5/2B-25 new
 10 ILCS 5/2B-30 new
 10 ILCS 5/2B-35 new
 10 ILCS 5/2B-40 new
 10 ILCS 5/2B-45 new

10 ILCS 5/2B-50 new
 10 ILCS 5/2B-55 new
 10 ILCS 5/2B-60 new
 10 ILCS 5/2B-90 new
 30 ILCS 500/15-45
 105 ILCS 5/24-2
 110 ILCS 70/45a

Summary: The bill makes numerous changes in the Election Code. Among the provisions, it makes Election Day, this November only, an official State holiday, so schools must be closed. It also allows persons 16-years or older to serve as election judges.

Vote: Senate 37-19; House 72-43

Last Action: Public Act 101-0642, Effective date: June 16, 2020

SB 2135

Open Meetings Act

Sponsors

Senate: Sims – Bennett, S.

House: Burke – Ford – Lilly

Chapter Reference:

5 ILCS 100/5-45.2 new
 5 ILCS 120/2.01
 5 ILCS 120/7
 5 ILCS 175/95-20 new
 5 ILCS 420/4A-105
 5 ILCS 100/5-45.1 new
 15 ILCS 305/30 new
 15 ILCS 310/8c
 20 ILCS 605/605-1045 new
 20 ILCS 3501/801-25
 20 ILCS 1405/1405-32 new
 25 ILCS 130/1-5
 30 ILCS 500/1-13
 65 ILCS 5/8-2-9
 65 ILCS 5/8-2-9.4
 70 ILCS 810/40
 70 ILCS 835/1
 70 ILCS 1290/1
 220 ILCS 80/25 new
 625 ILCS 5/2-129 new

Summary: The bill codifies the Governor's Executive Order regarding holding meetings of public bodies remotely. In times of emergency declared by the Governor, school boards may conduct meetings without having school board members physically present at the meeting site. Members of the public who are present at the meeting site must be able to hear all discussion, testimony, and votes. The bill also directs the Broadband Advisory Council to study the provision of free access to broadband service by all residents of the state. Finally, the bill suspends the deadline for filing statements of economic interest until August 1, 2020.

Vote: Senate 36-19; House 66-44-2

Last Action: Public Act 101-0640, Effective date: June 12, 2020

PERSONNEL

HB 2455

Unemployment Insurance – ESPs

Sponsors

House: Hoffman – Villa – Evans – Flowers
Senate: Holmes – Aquino – Cunningham – Gillespie –
Lightford

Chapter Reference:

30 ILCS 559/20-25
30 ILCS 805/8.44 new
40 ILCS 5/5-144
40 ILCS 5/5-153
40 ILCS 5/6-140
40 ILCS 5/6-150
820 ILCS 310/1
820 ILCS 405/401
820 ILCS 405/409
820 ILCS 405/500
820 ILCS 405/612
820 ILCS 405/1502.4 new
820 ILCS 405/1505
820 ILCS 405/1506.6

Summary: The bill contains language for the omnibus labor/management bill. Provisions would allow Education Support Personnel to qualify for unemployment insurance benefits during the summer months and any vacation breaks lasting a week or longer this year. This change in the law is limited to breaks that begin and end between March 15, 2020 and January 2, 2021. School districts, as long as they are reimbursable employers, will not incur any additional costs from this eligibility expansion as the third federal stimulus package, the CARES Act, covers 50% of the cost and the remaining 50% will be spread out over non-reimbursable employers. It allows an employer to rebut with certain evidence the presumption that any COVID-19 cases are automatically due to the work environment.

Vote: House 113-2; Senate 50-4

Last Action: Public Act 101-0633, Effective date: June 5, 2020

SB 1857

TRS – Substitute Teachers

Sponsors

Senate: Martinez – Hunter
House: Burke - Spain

Chapter Reference:

5 ILCS 312/1-105
20 ILCS 1605/21.13
20 ILCS 2630/5.2
20 ILCS 2637/20
20 ILCS 5010/95
20 ILCS 5095/25
20 ILCS 5150/20
30 ILCS 105/5.857
30 ILCS 105/6z-100
30 ILCS 500/1-15.93
30 ILCS 500/30-30
30 ILCS 605/7.4
35 ILCS 5/218
40 ILCS 5/16-118
415 ILCS 5/28.5
705 ILCS 105/27.1b
705 ILCS 105/27.1c
705 ILCS 135/20-5
725 ILCS 5/106F-20
725 ILCS 5/106F-25

Summary: The bill contains a provision to extend the expiration date for the ability of retired teachers who receive Teachers' Retirement System (TRS) benefits to substitute teach in a school for up to 120 days per school year without jeopardizing their pension benefits. Without the enactment of such legislation, the number of days such a retiree could work would be 100 days beginning July 1, 2020. The additional 20 days assists school districts in finding qualified substitute teachers during this teacher shortage. The bill extends the expiration date until June 30, 2021.

Vote: Senate 51-0; House 111-0-2

Last Action: Public Act 101-0645, Effective date: June 26, 2020

SCHOOL FINANCE

HB 0064

Appropriations – Infrastructure

Sponsors

House: Hoffman – Gordon-Booth

Senate: Harmon – Sims – Collins – Murphy, M.

Chapter Reference:

(Appropriations)

Summary: The bill contains appropriations for infrastructure and construction projects throughout the state. For schools, there are appropriations for specific projects for the following school districts: Bloom THSD 206; Chicago Heights SD 163; Rich THSD 227; and Manhattan SD 114.

Vote: House 69-42; Senate 54-0

Last Action: Public Act 101-0638, Effective date: June 12, 2020

HB 0357

Budget Implementation Bill (BIMP)

Sponsors

House: Harris, G. – Hoffman

Senate: Harmon, D. – Steans – Lightford

Chapter Reference:

New Act

5 ILCS 100/5-45.1 new

5 ILCS 100/5-45.2 new

5 ILCS 100/5-45.3 new

20 ILCS 605/605-705 was 20 ILCS 605/46.6a

20 ILCS 605/605-707 was 20 ILCS 605/46.6d

20 ILCS 605/605-1045 new

20 ILCS 1305/10-25

20 ILCS 605/605-1050 new

20 ILCS 1505/1505-210

20 ILCS 2705/2705-575

25 ILCS 10/20 new

30 ILCS 105/6z-20.1

30 ILCS 105/8.53

30 ILCS 105/5.930 new

30 ILCS 105/5.931 new

30 ILCS 105/5.932 new

30 ILCS 105/5.933 new

30 ILCS 105/5h.5

30 ILCS 105/6z-27

30 ILCS 105/6z-45

30 ILCS 105/6z-57

30 ILCS 105/6z-63

30 ILCS 105/6z-70

30 ILCS 105/6z-100

30 ILCS 105/6z-120 new

30 ILCS 105/6z-121 new

30 ILCS 105/6z-122 new

30 ILCS 105/8.3

30 ILCS 105/8.12

30 ILCS 105/8g-1

30 ILCS 105/13.2

30 ILCS 105/25

30 ILCS 110/5 new

30 ILCS 115/12

30 ILCS 120/16

30 ILCS 105/5.107 rep.

30 ILCS 105/6p-3

30 ILCS 105/8.8a

30 ILCS 605/7b

30 ILCS 160/2

30 ILCS 730/3

30 ILCS 740/2-3

30 ILCS 767/15-10

35 ILCS 5/901

30 ILCS 105/8.25f

35 ILCS 105/9

35 ILCS 110/9

35 ILCS 115/9

35 ILCS 120/3

65 ILCS 5/11-101-3

70 ILCS 210/13

70 ILCS 210/13.2

70 ILCS 3615/4.09

415 ILCS 20/3

305 ILCS 5/5-5.4

305 ILCS 5/5H-4

305 ILCS 5/5-5.7a new

305 ILCS 5/12-4.35

305 ILCS 5/12-4.53 new

305 ILCS 20/6

305 ILCS 20/18

415 ILCS 5/22.15

415 ILCS 5/55.6

415 ILCS 5/57.11

625 ILCS 5/3-821

705 ILCS 105/27.3b-1

705 ILCS 135/10-5

705 ILCS 135/15-70

730 ILCS 5/3-12-3a

730 ILCS 5/3-12-6

765 ILCS 1026/15-801

210 ILCS 49/5-106

Summary: The bill contains provisions necessary to implement the state budget for Fiscal Year 2021. It provides the Governor with added discretion on state expenditures. The bill also contains a provision for a potential sweep of \$20 million from the School Infrastructure Fund to the General Revenue Fund. While the bill gives the Governor more authority, it also creates a Legislative Oversight Committee to monitor how the Governor is using this new flexibility in Fiscal Year 2021.

Vote: House 70-38-3; Senate 33-19

Last Action: Public Act 101-0636, Effective date: June 10, 2020

SB 0264

Appropriations – Budget for FY 2021

Sponsors

Senate: Harmon – Manar – Lightford – Hunter
House: Harris, G.

Chapter Reference:

(Appropriations)

Summary: The bill contains the FY '21 state budget. For elementary and secondary education, it holds all school districts harmless to FY '20 distribution levels and adds no new tier money. New funding will be distributed in a manner that even further prioritizes low-wealth school districts. Budget line items are also held flat for Early Childhood Education Grants, Career and Technical Education Grants, and Mandated Categorical Grants.

Vote: Senate 36-19; House 68-44

Last Action: Public Act 101-0637, Effective date: June 10, 2020

SB 0516

Gaming – Chicago Casino

Sponsors

Senate: Cunningham – Hunter – Castro – Feigenholtz –
Lightford – Belt
House: Rita – Hoffman

Chapter Reference:

230 ILCS 5/1
230 ILCS 10/7
230 ILCS 10/7.7
230 ILCS 10/13
230 ILCS 50/30-5
230 ILCS 50/30-10
230 ILCS 50/30-15
230 ILCS 45/25-30
230 ILCS 45/25-35

Summary: The bill modifies the tax structure for proceeds from a land-based Chicago casino. In the bill enacted last year, the taxes imposed were excessive to the point that gaming institutions were not bidding on the license to open such a casino. Proceeds from a Chicago casino are a major revenue source for any new school construction program.

Vote: Senate 44-5; House 77-32

Last Action: Public Act 101-0648, Effective date: June 30, 2020

SB 1937

Debt Limits

Sponsors

Senate: Lightford – Morrison, J. – Crowe – Munoz
House: Welch

Chapter Reference:

105 ILCS 5/19-1

Summary: The bill extends the debt limits for the following school districts: Komarek SD 94, Berkeley SD 87, Schiller Park SD 81, Greenview Community Unit School District 200, Williamsville Community Unit School District 15, Elmwood Park Community Unit School District 401, and Maroa-Forsyth Community Unit School District 2.

Vote: Senate 50-3; House 88-27

Last Action: Public Act 101-0646, Effective date: June 26, 2020

SB 2099

COVID-19 CURE Borrowing

Sponsors

Senate: Harmon – Hunter
House: Zalewski – Flowers

Chapter Reference:

New Act
30 ILCS 105/5.934 new
30 ILCS 105/6z-123 new
30 ILCS 340/1
30 ILCS 340/1.1
30 ILCS 340/2
30 ILCS 340/3
35 ILCS 200/1-55

Summary: The bill creates the CURE (Coronavirus Urgent Remediation Emergency) Borrowing Act and Fund to provide the State with needed flexibility to borrow with enhanced efficiency in urgent circumstances. It authorizes the Governor with approval of the Comptroller and Treasurer to borrow up to \$5 billion in funds from certain sources and limits the borrowing to five areas including providing funds for increased costs of State government resulting from the COVID-19 outbreak. The bill sets aside the Procurement Code requirements for selection of purchaser of bond certificates sold under this authority and allows certificates to be sold on a negotiated basis directed by the Governor.

Vote: Senate 37-19; House 71-45

Last Action: Public Act 101-0630, Effective date: May 29, 2020

STUDENTS

SB 1786

Driver's License Revocation

Sponsors

Senate: Aquino – Collins – Martinez

House: Ammons – Stava-Murray – Skillicorn – Connor –
Meyers-Martin

Chapter Reference:

625 ILCS 5/3-704.2

625 ILCS 5/6-201

625 ILCS 5/6-204

625 ILCS 5/6-205

625 ILCS 5/6-206

625 ILCS 5/6-209.1 new

625 ILCS 5/6-306.5

625 ILCS 5/11-208.3

625 ILCS 5/6-205.2 rep.

625 ILCS 5/6-306.7 rep.

Summary: The bill disallows revocation of a drivers' license for truancy. Many other revisions regarding driver's license revocation and suspension are included in the bill.

Vote: Senate 38-10; House 88-27

Last Action: Public Act 101-0623, Effective date: July 1, 2020

SB 1970

Election Day Leave

Sponsors

Senate: Sims – Peters – Morrison, J. – Hunter – Belt

House: Smith – Gabel – LaPointe – Villanueva

Chapter Reference:

10 ILCS 5/7-42

10 ILCS 5/17-15

Summary: The bill allows a student entitled to vote in a primary, general, or special election two hours to vote on Election Day. The school may specify the hours in which the student may be absent.

Vote: Senate 40-10; House 74-40

Last Action: Public Act 101-0624, Effective date: June 1, 2020

TAXATION

HB 0961

Senior Homestead Exemption waiver

Sponsors

House: Crespo – Stephens – Mah – Morrison, T. – Ortiz

Senate: Ellman – Cunningham – Sims – Gillespie

Chapter Reference:

35 ILCS 200/9-275

35 ILCS 200/15-170

Summary: The bill changes the sunset date for Cook County seniors to waive reapplying for the senior citizen homestead exemption to taxable years 2019 through 2023.

Vote: House 111-0; Senate 53-0

Last Action: Public Act 101-0622, Effective date: January 14, 2020

SB 0685

Homestead Exemptions

Sponsors

Senate: Koehler – Martinez – Sims – Collins – Hunter

House: Zalewski – Flowers

Chapter Reference:

35 ILCS 200/15-168

35 ILCS 200/15-169

35 ILCS 200/15-172

35 ILCS 200/21-27

35 ILCS 200/21-145

35 ILCS 200/21-150

35 ILCS 200/21-253 new

Summary: The bill allows the chief county assessment officer to approve certain homestead exemptions without application for the 2020 tax year with certain criteria. It also allows county boards, except Cook, to waive penalties and interest on delinquent property tax payments and extends deadlines for scavenger sales and tax sales during 2020.

Vote: Senate 56-0; House 115-0

Last Action: Public Act 101-0635, Effective date: June 5, 2020

SB 2052

Tax Increment Financing

Sponsors

Senate: Castro

House: Welch – West – Tarver – Williams

Chapter Reference:

65 ILCS 5/11-74.4-3.5

Summary: The bill extends the sunset date of tax increment financing districts in the following cities: Okawville, Vandalia, Rushville, Quincy, Maywood, Park Forest, Chicago, Mahomet, Washburn, and New Berlin.

Vote: Senate 54-0; House 97-14

Last Action: Public Act 101-0647, Effective date: June 26, 2020

GUBERNATORIAL ACTION ON BILLS

Section 9 of the Illinois Constitution provides that every bill passed by the General Assembly shall be presented to the governor within 30 calendar days of its passage. The governor then has 60 days from that date in which to act on a bill by either signing or vetoing the legislation. If the governor chooses not to act on the legislation it automatically becomes law after the 60-day period.

Below is a chart to indicate the appropriate action that follows gubernatorial action:

GOVERNOR'S ACTION	LEGISLATURE'S OPTIONS	VOTE REQUIRED IN EACH CHAMBER	RESULT
Sign the bill	—	—	Bill becomes law
Do nothing for 60 days	—	—	Bill becomes law
Veto the bill	Override	3/5	Bill becomes law as originally passed
	Fail to override	—	Bill dies
Amendatory veto	Override	3/5	Bill becomes law as originally passed
	Accept veto	Majority	Bill becomes law with governor's changes
	Do nothing	—	Bill dies
Reduce item of appropriation	Override	Majority	Item becomes law at original amount
	Fail to override	—	Item becomes law at reduced amount
Veto an item of appropriation	Override	3/5	Item becomes law at original amount

DETERMINING EFFECTIVE DATES

To determine a bill's effective date, four elements are important:

1. Is the effective date given in the bill itself?
2. On what date did final passage of the legislation occur?
3. If the legislation passed after May 31, how many votes did it get in each chamber of the General Assembly?
4. On what date did the governor sign the legislation?

After you have identified these four things, the Illinois Compiled Statutes (5 ILCS 75/1), Section 10 of Article IV of the Illinois Constitution and Rules of the General Assembly establish a procedure to determine effective dates. The following is a brief description of these rules:

Bills Passed Prior to June 1

A bill passed prior to June 1 of a calendar year that does not provide for an effective date in the bill shall be effective January 1 of the following year or upon signing, whichever is later.

A bill passed prior to June 1 of a calendar year that does provide for an effective date in the bill shall become effective on that date if that date is the same as the signing date or after the signing date.

A bill passed prior to June 1 of a calendar year that does

provide for an effective date in the bill shall become effective on the date that it is signed if the effective date provided in the bill occurs before the date of signing.

Bills Passed After May 31

A bill passed after May 31 of a calendar year that does not provide for an effective date in the bill shall become effective June 1 of the following year or upon signing, whichever is later.

A bill passed after May 31 of a calendar year that does provide for an effective date in the bill and passes the General Assembly with a 3/5 majority (at least 71 in the House and 36 in the Senate) shall become effective on the date that is defined in the bill if that date occurs on or after the date of signing.

A bill passed after May 31 of a calendar year that does provide for an effective date in the bill and passes the General Assembly with a majority of those voting (at least 60 in the House and 29 in the Senate) shall become effective on June 1 of the next calendar year.

A bill passed after May 31 of a calendar year that does provide for an effective date in the bill and passes the General Assembly with a 3/5 majority (at least 71 in the House and 36 in the Senate) shall become effective on the date of signing if that date occurs after the effective date stipulated in the bill.

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