2022 -- H 8168

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

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A N   A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ADMINISTRATION

Introduced By: Representatives Tobon, Casey, Barros, Vella-Wilkinson, Edwards, O'Brien, Craven, Corvese, Hull, and J Lombardi

Date Introduced: April 27, 2022

Referred To: House Finance

It is enacted by the General Assembly as follows:

1   SECTION 1. Chapter 42-11 of the General Laws entitled "Department of Administration"

2 is hereby amended by adding thereto the following section:

3   **42-11-2.10. Pilot for automatic verification of hours worked on computers.**

4   (a) This section shall apply only to a contract by or on behalf of the department of human

5 services and/or the department of administration for professional or technical services in excess of

6 one million dollars ($1,000,000). Further, this section shall not apply to any contract entered into

7 by the state of Rhode Island specifically for engineering and architectural services.

8   (b) By December 31, 2022, the contracting department shall pilot at least one contract, as

9 defined by this section. Further the department of administration and/or the department of human

10 services shall prepare an annual report to the senate finance committee; senate rules, government

11 ethics and oversight committee; house finance committee and the house oversight committee by

12 December 31, 2022. The report shall summarize the status of all contracts subject to this section.

13   (c) A contract subject to this section shall require a contractor to use automatic verification

14 software or an equivalent method to verify that hours billed for work, under the contract that are

15 performed on a computer, are legitimate.

16   (d) The contract(s), which includes the pilot, shall specify that the agency will not pay for

17 hours worked on a computer unless those hours are verifiable by the automatic verification software

18 or by data collected by the software. The automatic verification software shall do the following:

1   (1) Permit the agency or an auditor of the agency to have real-time or retroactive access to

2   data collected or provided by the software;

3   (2) Automatically take a screenshot of or otherwise capture state-funded activity at least

4   once every three (3) minutes, and make the screenshots available to the department or an auditor

5   of the agency in real time;

6   (3) Provide to the department or an auditor of the agency automated real-time cost status

7   of each task; and

8   (4) Must not capture any data that is private or confidential on individuals.

9   (e) The contractor shall store, or contract with another to store, data collected by the

10   software for a period of seven (7) years, unless otherwise specified, after the department has

11   remitted payment to the contractor for the work and in a secure manner approved by the department.

12   Data collected by the software is government data. The contractor shall retrieve data on request by

13   the department, in the format requested by the department, at any time during the seven (7) years,

14   as needed to comply with requests for data at no charge to the department.

15   (f) The contractor shall not charge the department for access to or use of the work

16   verification software, or for access to or retrievals of data collected by the software.

17   SECTION 2. This act shall take effect upon passage.

EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

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ADMINISTRATION

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1   This act would require the contracting department by or on behalf of the department of

2   human services and/or the department of administration to pilot at least one contract, using

3   automatic verification software to verify hours billed for work, under said contract, that are

4   performed on a computer by December 31, 2022, for professional or technical services in excess

5   of one million dollars ($1,000,000).

6   This act would take effect upon passage.

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