2019 -- H 5255

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LC001140
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S T A T E   O F   R H O D E   I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2019

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A N   A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF ADMINISTRATION

Introduced By: Representatives Kennedy, Shekarchi, Edwards, Marshall, and Azzinaro

Date Introduced: January 31, 2019

Referred To: House Corporations

It is enacted by the General Assembly as follows:

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

2 Administration" is hereby amended by adding thereto the following section:

3   **42-11-2.10. Verification of hours worked on computers.**

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

5 transportation, the department of health, the department of human services, the department of

6 administration, and the department of commerce, for professional or technical services in excess

7 of one hundred thousand dollars ($100,000).

8   (b) A contract subject to this section must require a contractor to use software to verify

9 that hours billed for work under the contract that are performed on a computer are legitimate. The

10 contract must specify that the agency will not pay for hours worked on a computer unless those

11 hours are verifiable by the software or by data collected by the software. The software must do

12 the following:

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

14 to data collected or provided by the software;

15   (2) Automatically take a screenshot of state-funded activity at least once every three (3)

16 minutes, and make the screenshots available to the agency or an auditor of the agency in real

17 time;

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

1   each task;

2   (4) Provide to the agency professional biographical information that is not private or

3   confidential on individuals performing state-funded work;

4   (5) Must not capture any data that is private or confidential on individuals; and

5   (6) Permit the agency to provide immediate feedback to the contractor on work in

6   progress.

7   (c) The contractor must store, or contract with another to store, data collected by the

8   software for a period of seven (7) years after the agency has remitted payment to the contractor

9   for the work. Data collected by the software is government data. The contractor must retrieve data

10   on request of the agency, in the format requested by the agency, at any time during the seven (7)

11   years as needed to comply with requests for data at no charge to the agency.

12   (d) The contractor must not charge the agency or an auditor of the agency for access to or

13   use of the work verification software, or for access to or retrievals of data collected by the

14   software.

15   SECTION 2. This act shall take effect upon passage, and apply to contracts for which

16   requests for bids or proposals are issued on or after July 1, 2019.

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EXPLANATION

BY THE LEGISLATIVE COUNCIL

OF

A N   A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- DEPARTMENT OF
ADMINISTRATION

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1   This act would require verification of hours worked on computers by contractors for

2   professional or technical services rendered to the departments of transportation, health, human

3   services, administration and commerce in contracts exceeding one hundred thousand dollars

4   ($100,000).

5   This act would take effect upon passage and apply to contracts for which requests for

6   bids or proposals are issued on or after July 1, 2019.

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