

FIRST REGULAR SESSION

# SENATE BILL NO. 463

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BURLISON.

Read 1st time February 27, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1844S.02I

## AN ACT

To amend chapter 34, RSMo, by adding thereto one new section relating to government processes to verify hours worked on computers for certain government contracts.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Chapter 34, RSMo, is amended by adding thereto one new section, to be known as section 34.167, to read as follows:

**34.167. 1. This section shall apply only to a contract in excess of one hundred thousand dollars entered into with a state agency for professional or technical services to be performed using a computer.**

**2. A contract subject to this section shall require a contractor to use a computer software program to verify the hours billed for work under the contract that are performed on a computer. The contract shall specify that the department shall not pay for hours worked on a computer unless those hours are verifiable by the software or by data collected by the software. Any work verification software program shall meet all of the following requirements:**

**(1) Permit the department or an auditor of the department to have real-time or retroactive access to data collected or provided by the software;**

**(2) Automatically gather verification data of computer events by using best parameters to measure activity;**

**(3) Provide to the department or an auditor of the department automated real-time cost status of each task;**

**(4) Provide to the department professional biographical information that is not private or confidential on individuals performing publicly-funded work under subdivision (5) of this**

21 subsection;

22 (5) Meet all state and federal privacy and confidentiality laws  
23 and protect all data that is private or confidential on individuals; and

24 (6) Permit the department to provide immediate feedback to the  
25 contractor on work in progress.

26 3. The data collected by the work verification software program  
27 shall be considered accounting records belonging to the  
28 contractor. The contractor shall store, or contract with a third-party  
29 to store, the data collected by the work verification software program  
30 for a period of seven years and provide the access to the contracting  
31 department or an auditor on their request.

32 4. The contractor shall not charge the department or an auditor  
33 of the department for access to or the use of the work verification  
34 software program, or for access to or retrievals of data collected by the  
35 work verification software program.

36 5. The software shall be procured by the contractor from an  
37 independent entity.

38 6. This section shall not apply to:

39 (1) State employees;

40 (2) State agencies contracting with other state agencies;

41 (3) Law enforcement agencies; and

42 (4) Any individual who works for a contractor that performs  
43 work on a state-owned device.

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