

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 206, Page 4, Section 8.231, Line 91, by inserting
2 after all of said section the following:

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4 "34.167. 1. This section shall apply only to a contract in excess of one hundred thousand dollars
5 entered into with a department for technical services to be performed using a computer.

6 2. The commissioner of administration or any agent of the state making contracts subject to the
7 provisions of this section shall give preference to any contractor that uses a computer software program to
8 verify the hours billed for work under the contract that are performed on a computer. The contract shall
9 specify that the department shall not pay for hours worked on a computer unless those hours are verifiable by
10 the software or by data collected by the software. Any work verification software program shall meet all of
11 the following requirements:

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

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

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

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

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

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

23 3. The data collected by the work verification software program shall be considered accounting
24 records belonging to the contractor. The contractor shall store, or contract with a third-party to store, the data
25 collected by the work verification software program for a period of time to be determined by the contracting
26 department and provide the access to the contracting department or an auditor on his or her request.

27 4. The contractor shall not charge the department or an auditor of the department for access to or the
28 use of the work verification software program, or for access to or retrievals of data collected by the work
29 verification software program.

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

31 6. This section shall not apply to:

32 (1) State employees;

33 (2) Departments contracting with other departments;

34 (3) Law enforcement agencies;

35 (4) Any individual who works for a contractor that performs work on a state-owned device; and

36 (5) Any architect or professional engineer."; and
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38 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.

Action Taken _____ Date _____