



General Assembly

January Session, 2019

**Raised Bill No. 1037**

LCO No. 5365



Referred to Committee on GOVERNMENT ADMINISTRATION  
AND ELECTIONS

Introduced by:  
(GAE)

**AN ACT CONCERNING VERIFICATION OF CONTRACTOR  
EMPLOYEE ACTIVITY UNDER CERTAIN COMPUTER-RELATED  
STATE CONTRACTS.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2019*) (a) As used in this  
2 section, "contract" means a contract for professional or technical  
3 information technology services performed for a state agency by an  
4 employee at an hourly rate while using a computer, "contractor" means  
5 a business entity or individual that is awarded a contract or an  
6 amendment to a contract, but does not include a state agency,  
7 "employee" means an employee of a contractor, but does not include a  
8 state employee or any individual performing a contract on a state-  
9 owned computer and "state agency" has the same meaning as  
10 provided in section 4d-1 of the general statutes.

11 (b) On and after October 1, 2019, any state agency that enters into a  
12 contract for more than five hundred thousand dollars shall require the  
13 contractor to use a software program that verifies hours billed under

14 the contract for the work performed on a computer by an employee.  
15 Any such contract shall prohibit payment under the contract for any  
16 hours worked on a computer under the contract that are not verifiable  
17 by a software program or data collected by a software program. Such  
18 software program shall (1) permit the state agency, or the Auditors of  
19 Public Accounts when conducting an audit pursuant to section 2-90 of  
20 the general statutes, to obtain real-time access to data collected or  
21 provided by the software program at any time after the data is  
22 generated, during the entire term of the contract; (2) automatically  
23 gather verification data of activity under the contract that may include  
24 tracking total keystroke and mouse use frequency and taking a  
25 screenshot of the computer screen at least once every three minutes; (3)  
26 provide the agency or the Auditors of Public Accounts with the  
27 automated real-time cost of work required by the contract; (4) protect  
28 all data that is private or confidential as required under all applicable  
29 federal or state law; and (5) permit the agency to provide immediate  
30 feedback to the contractor concerning work being performed under the  
31 contract.

32 (c) Notwithstanding any provision of chapter 61 of the general  
33 statutes, any data collected by the software program shall be  
34 considered accounting records belonging to the contractor. The  
35 contractor shall store, or contract with another entity to store, the data  
36 collected by the software program for a period of not more than seven  
37 years from the creation of the data, and in a manner that will provide  
38 access to the state agency or Auditors of Public Accounts upon  
39 demand.

40 (d) The contractor shall not charge the agency or the Auditors of  
41 Public Accounts for access to, or use of, the software program, or for  
42 access to, or retrievals of, data collected by the software.

43 (e) The contractor shall procure the software program used under  
44 this section from an independent entity. Such independent entity shall  
45 not have access to any screenshots generated by the software under  
46 this section.

47 (f) The Commissioner of Administrative Services, in consultation  
48 with the Secretary of the Office of Policy and Management, shall adopt  
49 regulations, in accordance with the provisions of chapter 54 of the  
50 general statutes, to implement the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	New section

***Statement of Purpose:***

To require certain contractors performing computer-related state contracts to obtain software to verify its employees' activity under the contract.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*