

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1168**  
**100TH GENERAL ASSEMBLY**

2322H.02C

DANA RADEMAN MILLER, Chief Clerk

---

---

**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  
2 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  
2 thousand dollars entered into with a state agency for professional or technical services to  
3 be performed using a computer.**

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

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

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

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

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

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

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

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

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

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

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

33           6. This section shall not apply to:

34           (1) State employees;

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

36           (3) Law enforcement agencies; and

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

✓