



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2828

Introduced 2/13/2018, by Sen. Pamela J. Althoff

SYNOPSIS AS INTRODUCED:

30 ILCS 500/35-45 new

Amends the Illinois Procurement Code. Provides that any contract entered into between a specified State agency and a contractor for the provision of professional or technical services in excess of \$100,000 shall require a contractor to use software to verify that hours billed for work under the contract for services performed on a computer are legitimate. Provides that the contract shall specify that the State agency will not pay for hours worked on a computer, unless those hours are verifiable by the software or by data collected by the software. Provides for the required functions of the software to be used. Requires a contractor to store data collected by the software for 7 years, and to retrieve and make available that data to a State agency upon request. Provides that a contractor shall not charge the State agency, or an auditor of the agency, for access to or use of the work verification software, or for access to or retrievals of data collected by the software. Provides that these provisions shall apply to all applicable contracts entered into on and after the effective date of this amendatory Act.

LRB100 18619 RJF 33844 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning finance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Procurement Code is amended by
5 adding Section 35-45 as follows:

6 (30 ILCS 500/35-45 new)

7 Sec. 35-45. Automatic work verification software.

8 (a) This Section shall apply to a contract by or on behalf
9 of the Department of Transportation, the Department of Public
10 Health, the Department of Human Services, the Department of
11 Central Management Services, the Department of Commerce and
12 Economic Opportunity, and any other State agency that contracts
13 for professional or technical services in excess of \$100,000.

14 (b) Any contract entered into between a State agency and a
15 contractor under subsection (a) shall require a contractor to
16 use software to verify that hours billed for work under the
17 contract for services performed on a computer are legitimate.
18 The contract shall specify that the State agency will not pay
19 for hours worked on a computer, unless those hours are
20 verifiable by the software or by data collected by the
21 software. The software required under this subsection (b) shall
22 perform the following functions:

23 (1) permit the State agency, or an auditor of the

1 agency, to have real-time access to data collected or
2 provided by the software;

3 (2) automatically gather verification data of
4 State-funded activity and track total keystroke and mouse
5 event frequency at least once every 3 minutes, and make
6 that information visible to the State agency, or an auditor
7 of the agency, in real-time and upon request;

8 (3) provide to the State agency, or an auditor of the
9 agency, automated real-time cost status of each task;

10 (4) provide to the State agency professional
11 biographical information that is not private or
12 confidential on individuals performing State-funded work;

13 (5) ensure appropriate privacy and confidentiality of
14 any data for individuals; and

15 (6) permit the State agency to provide immediate
16 feedback to the contractor on work in progress.

17 (c) A contractor shall store, or contract with another to
18 store, data collected by the software for a period of 7 years
19 after the State agency has remitted payment to the contractor
20 for services provided to the State agency. The contractor shall
21 retrieve and make available data upon request of the State
22 agency, in the format requested by the agency, at any time
23 during the 7 years as needed to comply with the provisions of
24 this Section or any other law which may require disclosure of
25 such information.

26 (d) A contractor shall not charge the State agency, or an

1 auditor of the agency, for access to or use of the work
2 verification software, or for access to or retrievals of data
3 collected by the software.

4 (e) The provisions of this Section shall apply to all
5 applicable contracts entered into on and after the effective
6 date of this amendatory Act of the 100th General Assembly.