

## AMENDMENTS TO HOUSE BILL NO. 1704

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1 Amend Bill, page 4, by inserting between lines 17 and 18

2 (13.1) Electronic payment processing services.

3 Amend Bill, page 5, lines 20 and 21, by striking out all of  
4 line 20 and "4318" in line 21 and inserting

5 4317

6 Amend Bill, page 5, line 21, by striking out "reporting and"

7 Amend Bill, page 5, line 21, by inserting after

8 "accountability"

9 and information technology

10 Amend Bill, page 5, line 22, by striking out "4319" and  
11 inserting

12 4318

13 Amend Bill, page 5, line 23, by striking out "4320" and  
14 inserting

15 4319

16 Amend Bill, page 5, line 24, by striking out "4321" and  
17 inserting

18 4320

19 Amend Bill, page 5, line 25, by striking out "4322" and  
20 inserting

21 4321

22 Amend Bill, page 5, by inserting between lines 25 and 26

23 4322. Status of information technology projects and corrective  
24 action plans.

1 Amend Bill, page 14, line 23, by striking out "A restricted"  
2 and inserting  
3 An  
4 Amend Bill, page 14, line 24, by striking out "State  
5 Treasury" and inserting  
6 General Fund  
7 Amend Bill, page 15, lines 4 and 5, by striking out all of  
8 line 4 and "(4)" in line 5 and inserting  
9 (3)  
10 Amend Bill, page 15, lines 19 through 30; page 16, lines 1  
11 through 6; by striking out all of said lines on said pages  
12 Amend Bill, page 16, line 7, by striking out "4318" and  
13 inserting  
14 4317  
15 Amend Bill, page 16, line 7, by striking out "reporting and"  
16 Amend Bill, page 16, line 7, by inserting after  
17 "accountability"  
18 and information technology  
19 Amend Bill, page 16, lines 28 through 30; page 17, lines 1  
20 and 2; by striking out all of said lines on said pages and  
21 inserting  
22 (3) The total appropriation for each service.  
23 Amend Bill, page 17, line 3, by striking out "(6)" and  
24 inserting  
25 (4)  
26 Amend Bill, page 17, line 5, by striking out "(7)" and  
27 inserting  
28 (5)  
29 Amend Bill, page 17, line 7, by striking out "(8)" and  
30 inserting

1           (6)

2           Amend Bill, page 17, line 8, by striking out "(9)" and  
3 inserting

4           (7)

5           Amend Bill, page 17, by inserting between lines 9 and 10

6           (d) Financial information.--The director shall, at a  
7 minimum, include in the report under subsection (c) the  
8 following financial information:

9           (1) Current budgetary balances for the fund and each  
10 information technology project.

11           (2) Line-item details on expenditures.

12           (3) Anticipated expenditures for the next three years.

13           (4) The financial activities of the fund, including fund  
14 expenditures, during the immediately prior fiscal year.

15           (e) Issuance.--In addition to the General Assembly, a report  
16 under subsection (c) shall be submitted to the following:

17           (1) The Secretary of the Budget.

18           (2) The Independent Fiscal Office.

19           (3) The General Assembly.

20           Amend Bill, page 17, line 10, by striking out "4319" and  
21 inserting

22           4318

23           Amend Bill, page 17, line 17, by striking out "4320" and  
24 inserting

25           4319

26           Amend Bill, page 18, line 1, by striking out "4321" and  
27 inserting

28           4320

29           Amend Bill, page 18, line 5, by striking out "4322" and  
30 inserting

31           4321

32           Amend Bill, page 19, by inserting between lines 2 and 3

33 § 4322. Status of information technology projects and  
34 corrective action plans.

35           (a) Portal.--Within one year of the effective date of this  
36 act, the director shall develop a web-based portal detailing the  
37 status of each of the Commonwealth's information technology  
38 projects. The portal shall include the following:

39           (1) A brief summary of each information technology

1 project.

2 (2) The approved budget of each project.

3 (3) The total and percent of the project's approved  
4 budget which has been expended by the agency based on the end  
5 balance from the prior business day, along with a color  
6 designation as follows:

7 (i) If an information technology project is under  
8 the project's approved budget, the project shall be  
9 designated as the color green.

10 (ii) If an information technology project is over  
11 the project's approved budget, the project shall be  
12 designated as the color red.

13 (4) The completion date in the original contract along  
14 with the total percent of work for the project that has been  
15 completed, along with a color designation as follows:

16 (i) If an information technology project has not  
17 exceeded the completion date in the original contract,  
18 the project shall be designated as green.

19 (ii) If an information technology project has  
20 exceeded the completion date in the original contract,  
21 the project shall be designated as red.

22 (5) A summary of the scope of work, along with a color  
23 designation as follows:

24 (i) If an information technology project is meeting  
25 the scope of work in the original contract, the project  
26 shall be designated as the color green.

27 (ii) If an information technology project is not  
28 meeting the scope of work in the original contract, the  
29 project shall be designated as the color red.

30 (6) A summary of the performance requirements of the  
31 contract, along with a color designation as follows:

32 (i) If an information technology project is meeting  
33 the performance requirements in the original contract,  
34 the project shall be designated as the color green.

35 (ii) If an information technology project is not  
36 meeting the performance measures in the original  
37 contract, the project shall be designated as the color  
38 red.

39 (b) Notification.--The following shall apply:

40 (1) Upon determining that an information technology  
41 project will be designated red, the director shall notify the  
42 Governor's Office, the Independent Fiscal Office and the  
43 General Assembly.

44 (2) Upon being notified that the information technology  
45 project is designated as red, the director shall develop a  
46 corrective action plan to ensure that the information  
47 technology project moves back to green status.

48 (3) The corrective action plan shall be finalized within  
49 20 days from the notification. The finalized corrective  
50 action plan shall be sent to the General Assembly, the  
51 Independent Fiscal Office and the Auditor General.

1 Amend Bill, page 19, by inserting between lines 13 and 14  
2 4339. Contractor verification.

3 Amend Bill, page 19, line 14, by striking out "4339" and  
4 inserting  
5 4340

6 Amend Bill, page 19, line 15, by striking out "4340" and  
7 inserting  
8 4341

9 Amend Bill, page 19, line 16, by striking out "4341" and  
10 inserting  
11 4342

12 Amend Bill, page 19, line 17, by striking out "4342" and  
13 inserting  
14 4343

15 Amend Bill, page 19, line 19, by inserting after "bid"  
16 or proposal

17 Amend Bill, page 19, line 20, by inserting after "bid"  
18 or proposal

19 Amend Bill, page 20, line 1, by striking out "direct"

20 Amend Bill, page 21, lines 3 through 6, by striking out all  
21 of lines 3 through 5 and "(2)" in line 6 and inserting  
22 (1)

23 Amend Bill, page 21, lines 12 through 16, by striking out all  
24 of lines 12 through 15 and "(4)" in line 16 and inserting  
25 (2)

26 Amend Bill, page 21, line 20, by striking out "(5)" and  
27 inserting  
28 (3)

29 Amend Bill, page 21, line 24, by striking out "(6)" and  
30 inserting

1           (4)

2           Amend Bill, page 24, line 21, by inserting after "all"  
3           proposed

4           Amend Bill, page 25, lines 9 through 12, by striking out all  
5 of said lines and inserting

6           (4) The General Assembly.

7           Amend Bill, page 25, lines 28 through 30; page 26, lines 1  
8 through 3; by striking out all of said lines on said pages and  
9 inserting

10           (ii) The Independent Fiscal Office.

11           (iii) The Auditor General.

12           (iv) The Secretary of the Budget.

13           (v) The State Treasurer.

14           (vi) The General Assembly.

15           Amend Bill, page 26, lines 16 through 20, by striking out all  
16 of said lines and inserting

17           (ii) The Governor.

18           (iii) The Secretary of the Budget.

19           (iv) The General Assembly.

20           Amend Bill, page 27, line 25, by inserting after "proposals"  
21           or invitation for bids

22           Amend Bill, page 27, line 27, by inserting after "proposals"  
23           or bids

24           Amend Bill, page 27, line 27, by striking out "vendors" and  
25 inserting

26           contractors

27           Amend Bill, page 30, line 10, by inserting after "agencies"  
28           utilizing the processes under 62 Pa.C.S. Ch. 5 (relating to  
29 source selection and contract formation)

30           Amend Bill, page 30, line 16, by inserting after "chapter"  
31           and consistent with the processes enacted under 62 Pa.C.S.  
32 Ch. 5

33           Amend Bill, page 30, line 24, by striking out "personal"

34           Amend Bill, page 31, line 26, by inserting after "Offers"

1 or bids

2 Amend Bill, page 32, line 17, by inserting after "offer.--  
3 All"

4 bids or

5 Amend Bill, page 32, line 18, by inserting after

6 "competitive"

7 sealed

8 Amend Bill, page 32, line 18, by inserting after "method"

9 under 62 Pa.C.S. Ch. 5

10 Amend Bill, page 33, lines 14 through 17, by striking out all  
11 of said lines and inserting

12 (3) The General Assembly.

13 § 4339. Contractor verification.

14 (a) General rule.--A contract for professional or technical  
15 services in which the cost to the Commonwealth exceeds \$100,000  
16 shall require a contractor working with a State agency on a  
17 project to use software that verifies that the hours billed on a  
18 contract with the State agency are valid and fulfill the purpose  
19 of the contract.

20 (b) Contract specifications.--A contract shall specify that  
21 a State agency may not pay for hours worked on a project that  
22 are performed on a computer unless the hours can be verified  
23 through the use of the software or data collected by the  
24 software.

25 (c) Software requirements.--The software incorporated by a  
26 contractor to meet the requirements of this section shall do the  
27 following:

28 (1) Permit the State agency or an auditor of the State  
29 agency to have real-time or retroactive access to data  
30 collected by the software.

31 (2) Automatically capture a screenshot of activity as  
32 follows:

33 (i) The software shall capture a screenshot at least  
34 once every three minutes.

35 (ii) A screenshot shall be made available for review  
36 by the State agency or an auditor of the State agency in  
37 real-time and retroactively.

38 (iii) Track total keystroke and mouse event  
39 frequency.

40 (iv) Be procured by the contractor from an  
41 independent entity.

42 (3) Provide the State agency or an auditor of the State  
43 agency an automated real-time cost status of each task  
44 relating to the contract.

1 (4) Provide the State agency professional biographical  
2 information that is not private or confidential on  
3 individuals performing tasks under the contract.

4 (5) Protect all data that is private or confidential on  
5 individuals consistent with Pennsylvania law.

6 (6) Permit the State agency to provide immediate  
7 feedback to the contractor on work in progress under the  
8 contract.

9 (d) Data storage.--The contractor shall store, or contract  
10 to store, the data collected by the software required under this  
11 section for a period of no less than seven years after the State  
12 agency has remitted payment to the contractor for work under the  
13 contract.

14 (e) Requests for data.--Data collected by the software  
15 during the contract period shall not be considered government  
16 data and the contractor shall retrieve the data upon request of  
17 the State agency, in the format requested by the State agency,  
18 at any time during the seven-year period.

19 (f) Charge prohibited.--The contractor may not charge the  
20 State agency or an auditor of the State agency for access to or  
21 use of the software or for access to or retrievals of data  
22 collected by the software.

23 Amend Bill, page 33, line 18, by striking out "4339" and  
24 inserting  
25 4340

26 Amend Bill, page 34, line 5, by striking out "\$25,000" and  
27 inserting  
28 \$100,000

29 Amend Bill, page 34, line 6, by striking out "a quarterly"  
30 and inserting  
31 an annual

32 Amend Bill, page 34, lines 7 through 15, by striking out all  
33 of said lines and inserting  
34 General Assembly.

35 Amend Bill, page 34, line 16, by striking out "4340" and  
36 inserting  
37 4341

38 Amend Bill, page 34, line 17, by striking out "computer" and  
39 inserting



1 information technology

2 Amend Bill, page 34, line 21, by striking out the period  
3 after "chapter" and inserting

4 and existing State law regarding the procurement of  
5 information technology equipment and televisions.

6 Amend Bill, page 34, line 24, by inserting after "chapter"  
7 or existing State law regarding the procurement of  
8 information technology equipment and televisions

9 Amend Bill, page 34, line 26, by striking out "4341" and  
10 inserting

11 4342

12 Amend Bill, page 35, line 5, by striking out "quarterly" and  
13 inserting

14 annually

15 Amend Bill, page 35, lines 7 through 10, by striking out all  
16 of said lines and inserting

17 (2) The General Assembly.

18 Amend Bill, page 35, line 12, by inserting after "all"

19 existing

20 Amend Bill, page 35, line 14, by striking out "4342" and  
21 inserting

22 4343

23 Amend Bill, page 36, line 1, by striking out "Legislative"  
24 and inserting

25 Joint

26 Amend Bill, page 37, line 14, by inserting after "a"

27 Federal Government entity or a

28 Amend Bill, page 38, line 6, by inserting after "General"

29 or the General Assembly

30 Amend Bill, page 38, line 28, by striking out "Legislative"  
31 and inserting

32 Joint

1 Amend Bill, page 40, by inserting between lines 2 and 3

2 (v) The Pennsylvania Public Utility Commission.

3 (8) Four private citizens appointed by the Governor with  
4 professional cyber security experience.

5 Amend Bill, page 40, line 3, by striking out "(8)" and

6 inserting

7 (9)

8 Amend Bill, page 40, lines 5 and 6, by striking out "and vice

9 chairperson"

10 Amend Bill, page 40, lines 7 through 25, by striking out all

11 of said lines and inserting

12 Governor and the vice chairperson of the committee shall  
13 be appointed by the chairperson.

14 (c) Staffing.--The committee shall be staffed by the  
15 office, which shall support and assist the committee.

16 Amend Bill, page 40, line 26, by striking out "(c)" and

17 inserting

18 (d)

19 Amend Bill, page 40, line 29, by striking out "(d)" and

20 inserting

21 (e)

22 Amend Bill, page 41, line 2, by striking out "(e)" and

23 inserting

24 (f)

25 Amend Bill, page 41, lines 22 through 30; page 42, lines 1  
26 through 15; by striking out all of lines 22 through 30 on page  
27 41, all of lines 1 through 14 and "(i)" in line 15 on page 42

28 and inserting

29 (g)

30 Amend Bill, page 42, line 15, by inserting after "review"

31 and coordinate

32 Amend Bill, page 42, line 16, by striking out "issue an

1 annual report on" and inserting

2 discuss

3 Amend Bill, page 42, line 17, by striking out "an assessment  
4 of" and inserting

5 assess

6 Amend Bill, page 42, line 28, by striking out "(j)" and  
7 inserting

8 (h)

9 Amend Bill, page 43, line 1, by striking out "Legislative"  
10 and inserting

11 Joint

12 Amend Bill, page 43, line 16, by striking out "under this  
13 chapter"