



STATE OF CONNECTICUT

OFFICE OF POLICY AND MANAGEMENT

To: Agency Fiscal Officers and Contract and Procurement Staff

From: Kimberly Kennison, Executive Financial Officer *Kimberly Kennison*

Date: October 2, 2023

Re: Implementation of New Legislation Public Act 23-16

Overview of New Legislation

The Office of Attorney General and the Office of Policy and Management (OPM) have implemented changes to contract language to reflect provisions in new legislation [Public Act 23-16, An Act Concerning Artificial Intelligence, Automated Decision-Making and Personal Data Privacy](#). The provision change resides within Section 4: no state contracting agency shall enter into any contract with a business on or after October 1, 2023, unless such contract contains a provision requiring the business to comply with all applicable provisions of sections 42-515 to 42-525, inclusive, of the general statutes.

In order to comply with the change required by Public Act 23-16, OPM has revised the Purchase of Service (POS) Part II, Terms and Conditions, of the POS Standard Contract Template and the CORE-CT contract module. The revised documents will be used by state health and human service agencies when entering into contract agreements. These changes will allow agencies, bidders and contractors to maintain compliance with current contracting laws.

Changes to OPM Procurement Document

OPM has updated the following document.

<u>Document</u>	<u>Changes</u>	<u>Link</u>
POS Part II Standard Contract Template	<ul style="list-style-type: none">• Table of Contents• Section E – Changes detailed below	POS Part II

POS Part II Section E Changes

- **Subsection 16 – Consumer Data Privacy and Online Monitoring** – new added provision displacing the Consulting Agreements Representation Subsection to new Subsection 17. *“Pursuant to Section 4 of Public Act 23-16 of the Connecticut General Assembly, Contractor shall at all times comply with all applicable provisions of sections 42-515 to 42-525, inclusive, of the Connecticut General Statutes, as the same may be revised or modified.”*

- **Subsection 17 – Consulting Agreements Representation** – New Subsection created. This provision was previously Subsection 16, which is now the new provision change to this document.

Note: Agencies who have a Memorandum of Understanding (MOU) with the Attorney General's Office (OAG) stipulates those agencies are not permitted to make any changes to the POS Part II language without consultation with and approval of the OAG.

Agencies should use this updated document effective immediately. This document will only effect new contracts started after the effective date of October 2, 2023. Any contract in final negotiations prior to this document effective date is not required to, but may, use the revised document.

More Information

OPM has updated the [POS Standard Contract Part II webpage](#) to reflect these changes.

Please direct any questions to this updated guidance to Kevin Meakem (Kevin.Meakem@ct.gov).

cc: Daniel Shapiro, Assistant Attorney General; Rosemarie Weber, Assistant Attorney General; Jeffrey Zeman, Assistant Attorney General; José Salinas, Assistant Attorney General; Mildred Bauza, Assistant Attorney General; Leland Moore, Assistant Attorney General; Marcie Archacki, Paralegal Specialist; Nicole Hart, Paralegal Specialist; Allison Lineberry, Paralegal Specialist; Sharon Roma, Paralegal Specialist; Gareth D. Bye, OPM General Counsel