



AN ACT GENERALLY REVISING LAWS RELATED TO THE BOARD OF PUBLIC ACCOUNTANTS; PROVIDING THAT THE BOARD MAY HIRE ITS OWN STAFF; AMENDING SECTION 2-15-1756, MCA; AND PROVIDING AN EFFECTIVE DATE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-15-1756, MCA, is amended to read:

"2-15-1756. Board of public accountants. (1) There is a board of public accountants.

(2) The board consists of seven members appointed by the governor. The members are:

(a) except as provided in subsection (3), five certified public accountants certified under Title 37, chapter 50, who are certified and actively engaged in the practice of public accounting and who have held a valid certificate for at least 5 years before being appointed; and

(b) two members of the general public who are not engaged in the practice of public accounting.

(3) The board may include four certified public accountants pursuant to subsection (2)(a) and one licensed public accountant licensed under Title 37, chapter 50, who is actively engaged in the practice of public accounting and who has held a valid license for at least 5 years prior to appointment.

(4) Professional associations of public accountants may submit to the governor a list of names of two candidates for each position from which the appointment pursuant to subsection (2)(a) may be made. However, the governor is not restricted to the names on the list. The list may include recommendations for a certified public accountant or a licensed public accountant.

(5) Each appointment is subject to confirmation by the senate and must be submitted for consideration at the next regular session following appointment.

(6) The members shall serve staggered 4-year terms. The governor may remove a member for neglect of duty or other just cause.

(7) The board is allocated to the department for ~~administrative purposes only as prescribed in 2-15-121~~ administrative purposes only as prescribed in 2-15-121, except that the provisions of 2-15-121(2)(d) and (3)(a)

do not apply and the board may hire its own staff following consultation with the department."

Section 2. Executive director and board staff -- hiring and duties -- one-time fee. (1) The board may:

(a) establish qualifications and hire or contract with an executive director and legal counsel to carry out duties prescribed by the board pursuant to the board's responsibilities and duties established by law; and

(b) authorize the executive director, in consultation with the department, to contract with or to hire other administrative and clerical employees as may be necessary to properly carry out the provisions of this chapter.

(2) The board may, at its discretion, hire a consultant and establish a one-time fee to pay for that consultant. The consultant shall work with the department to determine how the board's paid staff interacts with department staff.

(3) Employees of the board are state employees.

Section 3. Codification instruction. [Section 2] is intended to be codified as an integral part of Title 37, chapter 50, part 2, and the provisions of Title 37, chapter 50, part 2, apply to [section 2].

Section 4. Effective date. [This act] is effective July 1, 2013.

- END -

I hereby certify that the within bill,
HB 0582, originated in the House.

Chief Clerk of the House

Speaker of the House

Signed this _____ day
of _____, 2013.

President of the Senate

Signed this _____ day
of _____, 2013.

HOUSE BILL NO. 582

INTRODUCED BY G. HERTZ

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