

SENATE BILL NO. 75

INTRODUCED BY G. VUCKOVICH

BY REQUEST OF THE BOARD OF PUBLIC ACCOUNTANTS

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5 A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING LAWS RELATED TO THE BOARD OF

6 PUBLIC ACCOUNTANTS; REVISING A REFERENCE TO A SPECIFIC ETHICS COURSE; AUTHORIZING

7 EXPANDED CONTINUING EDUCATION AUDITS; DELAYING USE OF A STATE SPECIAL REVENUE

8 ACCOUNT FOR THE BOARD; EXTENDING A TERMINATION DATE FOR AN ENTERPRISE FUND USED BY

9 THE BOARD; AMENDING SECTIONS 37-1-306, 37-50-302, AND 37-50-305, MCA; AMENDING SECTION 9,

10 CHAPTER 427, LAWS OF 2015, AND SECTION 10, CHAPTER 427, LAWS OF 2015; AND PROVIDING AN

11 EFFECTIVE DATE."

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

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15 **Section 1.** Section 37-1-306, MCA, is amended to read:

16 **"37-1-306. Continuing education -- certification -- other qualifications for continued licensure --**

17 **audit.** (1) A board may require licensees to participate in flexible, cost-efficient, effective, and geographically

18 accessible continuing education or continued state, regional, or national certification for licensure.

19 (2) A board that requires continuing education or state, regional, or national certification may not audit

20 or require proof of continuing education or certification as a precondition for license renewal. However, a licensee

21 who reactivates a license after the license has expired, as provided in 37-1-141, is subject to a mandatory

22 continuing education audit.

23 (3) ~~After~~ Except as provided in 37-50-305, after the lapsed date provided for in 37-1-141, the board or

24 department may conduct a random audit of up to 50% of all licensees who have renewed their licenses to

25 determine compliance with board or program continuing education requirements.

26 (4) The board or department may audit licensees for compliance with state, regional, or national

27 certification or other board or department requirements.

28 (5) The board or department shall provide a licensee not in compliance with continuing education or

29 certification requirements with an opportunity to cure the noncompliance as provided in 37-1-321."

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1 **Section 2.** Section 37-50-302, MCA, is amended to read:

2 **"37-50-302. Certified public accountants -- licensure -- qualifications and requirements.** The board
3 shall grant an initial license as a certified public accountant to any person who:

4 (1) is of good moral character;

5 (2) has successfully passed the certified public accountants' examination;

6 (3) meets the requirements of education and accounting experience set forth in this chapter and in board
7 rules; and

8 (4) has successfully completed the a professional ethics course for ~~GPA's course of the American~~
9 ~~institute of certified public accountants or its successor organization~~ as ~~defined~~ identified in board rule."

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11 **Section 3.** Section 37-50-305, MCA, is amended to read:

12 **"37-50-305. Education requirements -- definition.** (1) An applicant for initial licensure as a certified
13 public accountant must have:

14 (a) graduated from an accredited college or university with a baccalaureate degree and at least 150
15 semester hours of credit; and

16 (b) met the requirements for accounting and business course credit hours specified by board rule.

17 (2) (a) A licensee shall obtain continuing education credits as provided by board and department rule.

18 (b) If an audit conducted under 37-1-306 results in more than 15% of the audited licensees being
19 noncompliant before the department administers the provisions of 37-1-321, in the subsequent audit year the
20 board may audit up to 100% of the licensees.

21 ~~(2)(3)~~ For the purposes of this section, "initial licensure" means that the applicant has never been
22 licensed as a certified public accountant by any jurisdiction."

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24 **Section 4.** Section 9, Chapter 427, Laws of 2015, is amended to read:

25 **"Section 9. Effective date.** [Section 6] is effective October 1, ~~2019~~ 2023."

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27 **Section 5.** Section 10, Chapter 427, Laws of 2015, is amended to read:

28 **"Section 10. Termination.** [Sections 1 through 5] terminate September 30, ~~2019~~ 2023."

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30 NEW SECTION. **Section 6. Effective date.** [This act] is effective July 1, 2019.

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