

CHAPTER 43

(HB 275)

AN ACT relating to CPA licensure.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 325.240 is amended to read as follows:

- (1) The board shall elect annually a president and such other officers as it deems necessary.
- (2) The board may promulgate, and amend from time to time, administrative regulations, in accordance with the provisions of KRS Chapter 13A, for the orderly conduct of its affairs, for the administration of this chapter, and to establish and maintain a high standard of integrity and dignity in the profession of public accounting.
- (3) A majority of the board shall constitute a quorum for the transaction of business.
- (4) The board shall have a seal which shall be judicially noticed. The board shall keep records of its proceedings, and in any proceeding in court, civil or criminal, arising out of or founded upon any provision of this chapter, copies of said records certified as correct under the seal of the board shall be admissible in evidence as tending to prove the content of said records.
- (5) The board may employ an executive director and such other personnel as it deems necessary in its administration and enforcement of this chapter. It may appoint such committees or persons, to advise or assist it in the administration and enforcement, as it may see fit. It may retain its own counsel to advise and assist it, in addition to such advice and assistance as is provided by the Attorney General of this state.
- (6) The board may join or participate in professional organizations and associations that promote improvement of the practice of accounting for the protection of the public or to facilitate the activities of the board.
- (7) The board may expend funds from its account created by KRS 325.250 to:
 - (a) Assist with accounting educational programs proposed or offered in the primary and secondary schools in this state; *and*
 - (b) *Support scholarship programs that assist students enrolled in a Kentucky-based college or university who also satisfy other criteria contained in an administrative regulation promulgated by the board.*

The amount of the expenditure *for these programs* shall not interfere with the performance of the board's other responsibilities.

- (8) *Former and current members of the board, its agents, and employees shall be immune from suit for any discretionary act performed by them in good faith*~~[The board may purchase professional liability insurance for its members, staff, and investigators. The purchase of or failure to purchase insurance shall not be deemed a waiver of any immunity already conferred on the board, its members, staff, and investigators].~~

➔Section 2. KRS 325.280 is amended to read as follows:

- (1) The board may issue a license to practice by reciprocity, if the applicant:
 - (a) Submits an application for a license to practice any regulated activity, upon forms approved by the board;~~[, that includes]~~
 - (b) *Pays* all required fees, in the amounts as determined by administrative regulation promulgated by the board;~~[,]~~ and
 - (c) Meets the following requirements:
 - 1.~~[(a)]~~ *Satisfies the educational requirement in KRS 325.261(3);*
 2. *Receives*~~[The applicant received]~~ a grade on the Uniform CPA~~[Certified Public Accountants]~~ Examination in another state that was equivalent to a passing grade at the time in this Commonwealth;
 - 3.~~[(b)]~~ ~~[The applicant]~~ Holds a valid active license, and is in good standing as a certified public accountant, issued under the laws of any other state; and

4. ~~(c)~~ ~~1.~~ ~~The applicant~~ Meets all current experience requirements in this *chapter, except for KRS 325.261(6)(b), [Commonwealth]* at the time application is made, ~~or~~
- ~~2.~~ ~~within the ten (10) years immediately preceding the application, had four (4) years of experience in the practice of the regulated activities acceptable to the board upon which the license was based.~~
- (2) The board may issue a license to practice the regulated activities without examination to an applicant who holds a valid license to engage in the practice of the regulated activities in good standing from a foreign country if:
- (a) The applicant's foreign country makes similar provisions to allow a person who holds a valid license to practice the regulated activities issued by this Commonwealth to obtain that foreign country's comparable designation;
 - (b) The authority of the foreign country that issued the designation regulates the practice of the regulated activities, including the issuance of reports;
 - (c) The foreign designation was granted upon education and examination requirements which were established by the foreign authority or law and were substantially equivalent to those in effect in this Commonwealth at the time the foreign designation was granted;
 - (d) The applicant satisfies the applicable experience requirement contained in paragraph (c) of subsection (1) of this section;
 - (e) The applicant has successfully passed a uniform qualifying examination on United States national standards *prepared by the National Association of State Boards of Accountancy* ~~approved by the board~~; and
 - (f) The applicant submits an application for a license to practice the regulated activities, upon forms approved by the board, *and pays the fees listed in administrative regulations* ~~that includes all required fees, in the amounts as determined by administrative regulation~~ promulgated by the board.

Signed by Governor March 29, 2022.