

1 AN ACT relating to certified public accountant firms.

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

3 ➔Section 1. KRS 325.380 is amended to read as follows:

- 4 (1) No person shall assume or use the title or designation "certified public accountant,"  
5 "public accountant," or the abbreviation "CPA" or any other title, designation,  
6 words, letters, abbreviation, sign, card, or device tending to indicate that the person  
7 is a certified public accountant, unless the person holds a license issued under this  
8 chapter or qualifies for a practice privilege under KRS 325.282.
- 9 (2) No firm shall assume or use the title or designation "certified public accountants,"  
10 "public accountants," or the abbreviation "CPA's" or any other title, designation,  
11 words, letters, abbreviation, sign, card, or device tending to indicate that the firm is  
12 composed of certified public accountants, unless the firm:
- 13 (a) Holds a license issued under this chapter which has not been revoked or  
14 suspended, and all offices of the firm in this state are maintained as required  
15 under this chapter; or
- 16 (b) Is authorized to do so as provided for in KRS 325.301.
- 17 (3) No individuals or firm shall assume or use the title or designation "certified  
18 accountant," "chartered accountant," "enrolled accountant," "licensed accountant,"  
19 "registered accountant," "accredited auditor," "accounting practitioner," "accredited  
20 accountant," "expert accountant," "expert auditor," "certified auditor," or any other  
21 title or designation likely to be confused with "certified public accountant" and  
22 "public accountant" or any of the abbreviations "CA," "AP," "PA," "RA," "LA," or  
23 "AA" or similar abbreviations likely to be confused with "CPA."
- 24 (4) No person or firm shall sign or affix his ***or her*** name or a firm name to any  
25 document or prepare or issue any document which indicates that the person or firm  
26 performed attest services or that includes any language which indicates that the  
27 person or the firm has expert knowledge in performing attest services, unless the

1 person or firm holds a license to practice issued under this chapter or is exempt  
2 from having to obtain a license pursuant to KRS 325.301. This prohibition shall be  
3 applicable to issuance by any unlicensed person or firm of a report using any form  
4 of language conventionally used by licensees with respect to a compilation of  
5 financial statements or on any attest service. Nonlicensees may use safe harbor  
6 language provided in 201 KAR 1:180 in connection with a compilation of financial  
7 information. The provisions of this subsection shall not prohibit any officer,  
8 employee, partner, or principal of any organization from affixing his or her  
9 signature to any statement or report in reference to the financial affairs of the  
10 organization with any wording designating the position, title, or office which he or  
11 she holds in the organization, nor shall the provisions of this subsection prohibit  
12 any act of a public official or public employee in the performance of his or her  
13 duties.

14 (5) No person shall assume or use the title or designation "certified public accountant"  
15 or "public accountant" in conjunction with names indicating or implying that there  
16 is a firm, or in conjunction with the designation "and Company" or "and  
17 Associates" or a similar designation if there is in fact no bona fide firm licensed  
18 under this chapter or exempted from licensure under KRS 325.301.

19 (6) No person or firm holding a license under this chapter shall use a professional or  
20 firm name or designation which contains the names of any nonlicensees, is  
21 misleading as to the legal form of the firm, or as to the persons who are partners,  
22 officers, shareholders, or any other owners of the firm, or as to any other matters,  
23 provided however, the name of one (1) or more deceased or retired partner,  
24 member, manager, or shareholder, whose name had been included in the firm  
25 name may continue to be included in the name of a firm or its successor. ~~If more~~  
26 ~~than one (1) certified public accountant has an ownership interest in the firm, the~~  
27 ~~names of one (1) or more deceased, retired, or withdrawn partners, shareholders, or~~

1        ~~other certified public accountants with an ownership interest may be included in the~~  
2        ~~name of a firm or its successor.~~

3        ~~(7) If the death or retirement of a certified public accountant results in a firm having~~  
4        ~~only one (1) certified public accountant with an ownership interest, the board may~~  
5        ~~permit the firm to continue to use the firm name for no more than two (2) years~~  
6        ~~from the certified public accountant's respective death or retirement.]~~