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1 A bill to be entitled
2 An act relating to public accountancy; amending s.
3 473.3065, F.S.; renaming the Certified Public
4 Accountant Education Minority Assistance Program as
5 the "Clay Ford Scholarship Program"; revising
6 provisions for the distribution of scholarships under
7 the program; revising the annual maximum expenditures
8 and frequency of distribution of moneys for the
9 scholarships; amending s. 473.311, F.S.; clarifying
10 provisions; creating s. 473.3125, F.S.; providing
11 definitions; requiring the Board of Accountancy to
12 adopt rules for peer review programs; authorizing the
13 board to establish a peer review oversight committee;
14 requiring certain licensees to be enrolled in a peer
15 review program by a certain date; amending s. 473.313,
16 F.S.; revising license delinquency dates; providing an
17 effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Section 473.3065, Florida Statutes, is amended
22 to read:

23 473.3065 Clay Ford Scholarship Program; Certified Public
24 Accountant Education Minority Assistance ~~Program~~; Advisory
25 Council.—

26 (1) The Clay Ford Scholarship ~~Certified Public Accountant~~
27 ~~Education Minority Assistance~~ Program for Florida residents is
28 hereby established in the division for the purpose of providing
29 scholarships to minority persons as defined in s. 288.703 who

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30 are students enrolled in their fifth year of an accounting
31 education program at an institution in this state approved by
32 the board by rule. A Certified Public Accountant Education
33 Minority Assistance Advisory Council shall assist the board in
34 administering the program.

35 (2) All moneys used to provide scholarships under the Clay
36 Ford Scholarship Program shall be funded by a portion of
37 existing license fees, as set by the board, not to exceed \$10
38 per license. Such moneys shall be deposited into the
39 Professional Regulation Trust Fund in a separate account
40 maintained for that purpose. The department may ~~is authorized to~~
41 spend up to \$200,000 ~~\$100,000~~ per year for the program from this
42 program account, but may not allocate overhead charges to it.
43 Moneys for scholarships shall be disbursed twice per year
44 ~~annually~~ upon recommendation of the advisory council and
45 approval by the board, based on the adopted eligibility criteria
46 and comparative evaluation of all applicants. Funds in the
47 program account may be invested by the Chief Financial Officer
48 under the same limitations as apply to investment of other state
49 funds, and all interest earned thereon shall be credited to the
50 program account.

51 (3) The board shall adopt rules as necessary for
52 administration of the Clay Ford Scholarship Program, including
53 rules relating to the following:

54 (a) Eligibility criteria for receipt of a scholarship,
55 which, at a minimum, shall include the following factors:

56 1. Financial need.

57 2. Ethnic, gender, or racial minority status pursuant to s.
58 288.703(4).

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59 3. Scholastic ability and performance.

60 (b) Scholarship application procedures.

61 (c) Amounts in which scholarships may be provided, the
62 total amount that may be provided, the timeframe for payments or
63 partial payments, and criteria for how scholarship funds may be
64 expended.

65 (d) The total amount of scholarships that can be made each
66 year.

67 (e) The minimum balance that must be maintained in the
68 program account.

69 (4) Determinations made by the board regarding recipients
70 of scholarship moneys shall not be considered agency action for
71 purposes of chapter 120.

72 (5) It is unlawful for any person or agent of such person
73 to knowingly file with the board any notice, statement, or other
74 document that ~~which~~ is false or that ~~which~~ contains any material
75 misstatement of fact. A person who violates ~~any provision of~~
76 this subsection commits a misdemeanor of the second degree,
77 punishable as provided in s. 775.082 or s. 775.083.

78 (6) There is hereby created the Certified Public Accountant
79 Education Minority Assistance Advisory Council to assist the
80 board in administering the Clay Ford Scholarship Program. The
81 council shall be diverse and representative of the gender,
82 ethnic, and racial categories set forth in s. 288.703(4).

83 (a) The council shall consist of five licensed Florida-
84 certified public accountants selected by the board, of whom one
85 shall be a board member who serves as chair of the council, one
86 shall be a representative of the National Association of Black
87 Accountants, one shall be a representative of the Cuban American

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88 CPA Association, and two shall be selected at large. At least
89 one member of the council must be a woman.

90 (b) The board shall determine the terms for initial
91 appointments and appointments thereafter.

92 (c) Any vacancy on the council shall be filled in the
93 manner provided for the selection of the initial member. Any
94 member appointed to fill a vacancy of an unexpired term shall be
95 appointed for the remainder of that term.

96 (d) Three consecutive absences or absences constituting 50
97 percent or more of the council's meetings within any 12-month
98 period shall cause the council membership of the member in
99 question to become void, and the position shall be considered
100 vacant.

101 (e) The members of the council shall serve without
102 compensation, and any necessary and actual expenses incurred by
103 a member while engaged in the business of the council shall be
104 borne by such member or by the organization or agency such
105 member represents. However, the council member who is a member
106 of the board shall be compensated in accordance with ss.
107 455.207(4) and 112.061.

108 Section 2. Section 473.311, Florida Statutes, is amended to
109 read:

110 473.311 Renewal of license.—

111 (1) The department shall renew a license issued under s.
112 473.308 upon receipt of the renewal application and fee and upon
113 certification by the board that the Florida certified public
114 accountant has satisfactorily completed the continuing education
115 requirements of s. 473.312.

116 (2) The department shall adopt rules establishing a

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117 procedure for the biennial renewal of licenses issued pursuant
118 to this section.

119 Section 3. Section 473.3125, Florida Statutes, is created
120 to read:

121 473.3125 Peer review.—

122 (1) As used in this section, the term:

123 (a) "Licensee" means a sole proprietor, partnership,
124 corporation, limited liability company, or any other firm
125 engaged in the practice of public accounting as defined in s.
126 473.302(8)(a) that is required to be licensed under s. 473.3101.

127 (b) "Peer review" means the study, appraisal, or review by
128 one or more independent certified public accountants of one or
129 more aspects of the professional work of a licensee.

130 (2) The board shall adopt rules establishing minimum
131 standards for peer review programs, including, but not limited
132 to, standards for administering, performing, and reporting peer
133 reviews. The board shall also adopt rules establishing minimum
134 criteria for the board's approval of one or more organizations
135 that facilitate and administer peer review programs.

136 (3) For the purposes of maintaining oversight of the
137 license renewal requirements of s. 473.311(2), the board may
138 establish a peer review oversight committee, which shall be
139 composed of at least three, but no more than five, members who
140 are licensed under this chapter and whose firms are subject to
141 s. 473.311(2) and have received a review rating of "pass" on the
142 most recent peer review.

143 (4) Effective January 1, 2015, a sole proprietor,
144 partnership, corporation, limited liability company, or other
145 firm licensed under s. 473.3101 and engaged in the practice of

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146 public accounting as defined in s. 473.302(8)(a), except for the
147 performance of compilations and reviews as those terms are
148 defined by the board, must be enrolled in a peer review program.

149 Section 4. Subsection (3) of section 473.313, Florida
150 Statutes, is amended to read:

151 473.313 Inactive status.—

152 (3) A license that is ~~has become~~ delinquent for failure to
153 report completion of the requirements in s. 473.312 may be
154 reactivated under s. 473.311 upon application to the department.
155 Reactivation requires the payment of an application fee as
156 determined by the board and certification by the Florida
157 certified public accountant that the applicant satisfactorily
158 completed the continuing education requirements set forth under
159 s. 473.311. If the license is delinquent on January 1 ~~December~~
160 ~~31~~ because of failure to report completed continuing education
161 requirements, the applicant must submit a complete application
162 to the board by March 15 immediately after the delinquent
163 period.

164 Section 5. This act shall take effect July 1, 2013.