

By the Committee on Regulated Industries; and Senator Jones

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1 A bill to be entitled

2 An act relating to public accountancy; amending s.  
3 473.306, F.S.; revising prerequisites for taking the  
4 examination for licensure as a certified public  
5 accountant; eliminating certain obsolete provisions;  
6 amending s. 473.308, F.S.; revising and updating the  
7 requirements for education and work experience; requiring  
8 the Board of Accountancy to adopt rules governing  
9 requirements for work experience; clarifying provisions  
10 that specify what constitutes good moral character for  
11 purposes of qualifying for licensure as a certified public  
12 accountant; revising provisions governing licensure by  
13 endorsement; amending s. 473.323, F.S.; correcting a  
14 cross-reference; providing an effective date.

15  
16 Be It Enacted by the Legislature of the State of Florida:

17  
18 Section 1. Section 473.306, Florida Statutes, is amended to  
19 read:

20 473.306 Examinations.--

21 (1) A person desiring to be licensed as a Florida certified  
22 public accountant shall apply to the department to take the ~~for~~  
23 licensure examination.

24 (2) An applicant is entitled to take the licensure  
25 examination to practice in this state as a certified public  
26 accountant if the applicant has completed 120 semester hours or  
27 160 quarter hours from an accredited college or university with a  
28 concentration in accounting and business courses as specified by  
29 the board by rule.÷

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30 ~~(a) Is of good moral character; and~~

31 ~~(b) Has met the following educational requirements from an~~  
32 ~~accredited college or university:~~

33 ~~1. If application is made prior to August 2, 1983, a~~  
34 ~~baccalaureate degree with a major in accounting or its equivalent~~  
35 ~~with a concentration in accounting and business to the extent~~  
36 ~~specified by the board.~~

37 ~~2. If application is made after August 1, 1983, a~~  
38 ~~baccalaureate degree with a major in accounting or its equivalent~~  
39 ~~plus at least 30 semester or 45 quarter hours in excess of those~~  
40 ~~required for a 4-year baccalaureate degree, with a concentration~~  
41 ~~in accounting and business in the total educational program to~~  
42 ~~the extent specified by the board.~~

43 (3) The board shall have the authority to establish the  
44 standards for determining and shall determine:

45 (a) What constitutes a passing grade for each subject or  
46 part of the licensure examination;

47 (b) Which educational institutions, in addition to the  
48 universities in the State University System of Florida, shall be  
49 deemed to be accredited colleges or universities;

50 (c) What courses and number of hours constitute a major in  
51 accounting; and

52 (d) What courses and number of hours constitute additional  
53 accounting courses acceptable under s. 473.308(3) subparagraph  
54 ~~(2)(b)2.~~

55 ~~(4)(a) "Good moral character" means a personal history of~~  
56 ~~honesty, fairness, and respect for the rights of others and for~~  
57 ~~the laws of this state and nation.~~

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58       ~~(b) The board may refuse to certify an applicant for~~  
59 ~~failure to satisfy this requirement if:~~

60       ~~1. The board finds a reasonable relationship between the~~  
61 ~~lack of good moral character of the applicant and the~~  
62 ~~professional responsibilities of a certified public accountant;~~  
63 ~~and~~

64       ~~2. The finding by the board of lack of good moral character~~  
65 ~~is supported by competent substantial evidence.~~

66       ~~(c) When an applicant is found to be unqualified for a~~  
67 ~~license because of a lack of good moral character, the board~~  
68 ~~shall furnish the applicant a statement containing the findings~~  
69 ~~of the board, a complete record of the evidence upon which the~~  
70 ~~determination was based, and a notice of the rights of the~~  
71 ~~applicant to a rehearing and appeal.~~

72       (4)~~(5)~~ The board may adopt an alternative licensure  
73 examination for persons who have been licensed to practice public  
74 accountancy or its equivalent in a foreign country so long as the  
75 International Qualifications Appraisal Board of the National  
76 Association of State Boards of Accountancy has ratified an  
77 agreement with that country for reciprocal licensure.

78       (5)~~(6)~~ For the purposes of maintaining the proper  
79 educational qualifications for licensure under this chapter, the  
80 board may appoint an Educational Advisory Committee, which shall  
81 be composed of one member of the board, two persons in public  
82 practice who are licensed under this chapter, and four  
83 academicians on faculties of universities in this state.

84       Section 2. Section 473.308, Florida Statutes, is amended to  
85 read:

86       473.308 Licensure.--

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87           (1) A person desiring to be licensed as a Florida certified  
88 public accountant in this state shall apply to the department for  
89 licensure and the department shall license any applicant who the  
90 board certifies is qualified to practice public accounting.

91           (2) The board shall certify for licensure any applicant who  
92 successfully passes the licensure examination and satisfies the  
93 requirements of subsections (3), (4), and (5), ~~s. 473.306~~ and  
94 shall certify for licensure any firm that ~~which~~ satisfies the  
95 requirements of ss. 473.309 and 473.3101. The board may refuse to  
96 certify any applicant or firm that has violated any of the  
97 provisions of s. 473.322.

98           (3) An applicant for licensure must have received a  
99 baccalaureate degree with a major in accounting or its equivalent  
100 plus at least 30 semester hours or 45 quarter hours in excess of  
101 those required for a 4-year baccalaureate degree, with a  
102 concentration in accounting and business in the total educational  
103 program to the extent specified by the board.

104           (4) An applicant for licensure after December 31, 2008,  
105 must show that he or she has had 1 year of work experience. This  
106 experience shall include providing any type of service or advice  
107 involving the use of accounting, attest, compilation, management  
108 advisory, financial advisory, tax, or consulting skills, all of  
109 which must be verified by a certified public accountant who is  
110 licensed by a state or territory of the United States and who has  
111 supervised the applicant. This experience is acceptable if it was  
112 gained through employment in government, industry, academia, or  
113 public practice; constituted a substantial part of the  
114 applicant's duties; and was under the supervision of a certified  
115 public accountant licensed by a state or territory of the United

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116 States. The board shall adopt rules specifying standards and  
117 providing for the review and approval of the work experience  
118 required by this section.

119 (5) An applicant for licensure shall show that the  
120 applicant has good moral character.

121 (6) (a) "Good moral character" means a personal history of  
122 honesty, fairness, and respect for the rights of others and for  
123 the laws of this state and nation.

124 (b) The board may refuse to certify an applicant for  
125 failure to satisfy this requirement if:

126 1. The board finds a reasonable relationship between the  
127 lack of good moral character of the applicant and the  
128 professional responsibilities of a certified public accountant;  
129 and

130 2. The finding by the board of lack of good moral character  
131 is supported by competent substantial evidence.

132 (c) When an applicant is found to be unqualified for a  
133 license because of a lack of good moral character, the board  
134 shall furnish to the applicant a statement containing the  
135 findings of the board, a complete record of the evidence upon  
136 which the determination was based, and a notice of the rights of  
137 the applicant to a rehearing and appeal.

138 (7)~~(3)~~ The board shall certify as qualified for a license  
139 by endorsement an applicant who:

140 (a)1. Is not licensed and has not been licensed in another  
141 state or territory and who has met the requirements of this  
142 section for education, work experience, and good moral character  
143 ~~qualifies to take the examination as set forth in s. 473.306 and~~  
144 has passed a national, regional, state, or territorial licensing

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145 examination that ~~which~~ is substantially equivalent to the  
146 examination required by s. 473.306; and

147 2. Has completed such continuing education courses as the  
148 board deems appropriate, within the limits for each applicable 2-  
149 year period as set forth in s. 473.312, but at least such courses  
150 as are equivalent to the continuing education requirements for a  
151 Florida certified public accountant licensed licensee in this  
152 state during the 2 years immediately preceding her or his  
153 application for licensure by endorsement; or

154 (b)1.a. Holds a valid license to practice public accounting  
155 issued by another state or territory of the United States, if the  
156 criteria for issuance of such license were substantially  
157 equivalent to the licensure criteria that ~~which~~ existed in this  
158 state at the time the license was issued; or

159 b. Holds a valid license to practice public accounting  
160 issued by another state or territory of the United States but the  
161 criteria for issuance of such license did not meet the  
162 requirements of sub-subparagraph a.; has met the requirements of  
163 this section for education, work experience, and good moral  
164 character; ~~who qualifies to take the examination as set forth in~~  
165 ~~s. 473.306~~ and has passed a national, regional, state, or  
166 territorial licensing examination that ~~which~~ is substantially  
167 equivalent to the examination required by s. 473.306; and

168 2. Has completed continuing education courses that ~~which~~  
169 are equivalent to the continuing education requirements for a  
170 Florida certified public accountant licensed licensee in this  
171 state during the 2 years immediately preceding her or his  
172 application for licensure by endorsement.

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173        (8)~~(4)~~ If the applicant has at least 5 years of experience  
174 in the practice of public accountancy in the United States or in  
175 the practice of public accountancy or its equivalent in a foreign  
176 country that the International Qualifications Appraisal Board of  
177 the National Association of State Boards of Accountancy has  
178 determined has licensure standards that are substantially  
179 equivalent to those in the United States, or has at least 5 years  
180 of work experience that meets the requirements of subsection (4)  
181 ~~as an auditor or accountant in the employment of a unit of~~  
182 ~~federal, state, or local government and that employment required~~  
183 ~~the use of accounting skills as a substantial part of the~~  
184 ~~applicant's duties and was under the supervision of a certified~~  
185 ~~public accountant licensed by a state or territory of the United~~  
186 ~~States, the board shall waive the requirements of subsection (3)~~  
187 ~~which s. 473.306(2)(b)2. that are in excess of a baccalaureate~~  
188 degree. All experience that is used as a basis for waiving the  
189 requirements of subsection (3) ~~s. 473.306(2)(b)2.~~ must be while  
190 licensed as a certified public accountant by another state or  
191 territory of the United States or while licensed in the practice  
192 of public accountancy or its equivalent in a foreign country that  
193 the International Qualifications Appraisal Board of the National  
194 Association of State Boards of Accountancy has determined has  
195 licensure standards that are substantially equivalent to those in  
196 the United States. The board shall have the authority to  
197 establish the standards for experience that meet this  
198 requirement.

199        (9)~~(5)~~ The board may refuse to certify for licensure any  
200 applicant who is under investigation in another state for any act  
201 that ~~which~~ would constitute a violation of this act or chapter

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202 455, until such time as the investigation is complete and  
203 disciplinary proceedings have been terminated.

204 Section 3. Paragraph (1) of subsection (1) of section  
205 473.323, Florida Statutes, is amended to read:

206 473.323 Disciplinary proceedings.--

207 (1) The following acts constitute grounds for which the  
208 disciplinary actions in subsection (3) may be taken:

209 (1) Failing to maintain a good moral character as provided  
210 in s. 473.308 ~~s. 473.306~~.

211 Section 4. This act shall take effect July 1, 2008.