

By the Committee on Rules; and Senator Gruters

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1 A bill to be entitled
2 An act relating to public accountancy; amending s.
3 473.308, F.S.; requiring that certain applicants not
4 be licensed in any state or territory in order to be
5 licensed by endorsement; amending s. 473.311, F.S.;
6 providing license renewal requirements for nonresident
7 licensees; amending s. 473.312, F.S.; requiring that a
8 majority of the hours required for continuing
9 education include specific content; amending s.
10 473.313, F.S.; authorizing certain Florida certified
11 public accountants to apply to the Department of
12 Business and Professional Regulation to have their
13 license placed in a retired status; providing
14 requirements for such conversion; imposing
15 requirements and prohibitions on retired licensees;
16 authorizing retired licensees to use a specified title
17 under certain circumstances; providing that retired
18 licensees are not required to maintain continuing
19 education requirements; authorizing retired licensees
20 to reactivate their licenses if certain conditions are
21 met; defining the term "retired licensee"; providing
22 an effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Subsection (7) of section 473.308, Florida
27 Statutes, is amended to read:

28 473.308 Licensure.—

29 (7) The board shall certify as qualified for a license by

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30 endorsement an applicant who:

31 (a) Is not licensed and has not been licensed in any
32 ~~another~~ state or territory and who has met the requirements of
33 this section for education, work experience, and good moral
34 character and has passed a national, regional, state, or
35 territorial licensing examination that is substantially
36 equivalent to the examination required by s. 473.306; or

37 (b)1. Holds a valid license to practice public accounting
38 issued by another state or territory of the United States, if
39 the criteria for issuance of such license were substantially
40 equivalent to the licensure criteria that existed in this state
41 at the time the license was issued;

42 2. Holds a valid license to practice public accounting
43 issued by another state or territory of the United States but
44 the criteria for issuance of such license did not meet the
45 requirements of subparagraph 1.; has met the requirements of
46 this section for education, work experience, and good moral
47 character; and has passed a national, regional, state, or
48 territorial licensing examination that is substantially
49 equivalent to the examination required by s. 473.306; or

50 3. Holds a valid license to practice public accounting
51 issued by another state or territory of the United States for at
52 least 10 years before the date of application; has passed a
53 national, regional, state, or territorial licensing examination
54 that is substantially equivalent to the examination required by
55 s. 473.306; and has met the requirements of this section for
56 good moral character.

57 Section 2. Subsection (1) of section 473.311, Florida
58 Statutes, is amended to read:

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59 473.311 Renewal of license.—

60 (1) (a) The department shall renew a license issued under s.
61 473.308 upon receipt of the renewal application and fee and upon
62 certification by the board that the Florida certified public
63 accountant has satisfactorily completed the continuing education
64 requirements of s. 473.312.

65 (b) A nonresident licensee seeking renewal of a license in
66 this state shall be determined to have met the continuing
67 education requirements in s. 473.312, except for the
68 requirements in s. 473.312(1)(c), if the licensee has complied
69 with the continuing education requirements applicable in the
70 state in which his or her office is located. If the state in
71 which the nonresident licensee's office is located has no
72 continuing education requirements for license renewals, the
73 nonresident licensee must comply with the continuing education
74 requirements in s. 473.312.

75 Section 3. Paragraph (c) of subsection (1) of section
76 473.312, Florida Statutes, is amended to read:

77 473.312 Continuing education.—

78 (1)

79 (c) Not less than 5 percent of the total hours required by
80 the board shall be in ethics applicable to the practice of
81 public accounting. This requirement shall be administered by
82 providers approved by the board and a majority of the hours
83 shall include a review of the provisions of chapter 455 and this
84 chapter and the related administrative rules.

85 Section 4. Section 473.313, Florida Statutes, is amended to
86 read:

87 473.313 Inactive status and retired status.—

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88 (1) A Florida certified public accountant may request that
89 her or his license be placed in an inactive status by making
90 application to the department. The board may prescribe by rule
91 fees for placing a license on inactive status, renewal of
92 inactive status, and reactivation of an inactive license.

93 (a)~~(2)~~ A license that has become inactive under this
94 subsection ~~(1)~~ or for failure to complete the requirements in s.
95 473.312 may be reactivated under s. 473.311 upon application to
96 the department. The board may prescribe by rule continuing
97 education requirements as a condition of reactivating a license.
98 The maximum continuing education requirements for reactivating a
99 license are 120 hours, including at least 30 hours in
100 accounting-related and auditing-related subjects, not more than
101 30 hours in behavioral subjects, and a minimum of 8 hours in
102 ethics subjects approved by the board, for the reactivation of a
103 license that is inactive or delinquent.

104 (b)~~(3)~~ A license that is delinquent for failure to report
105 completion of the requirements in s. 473.312 may be reactivated
106 under s. 473.311 upon application to the department.
107 Reactivation requires the payment of an application fee as
108 determined by the board and certification by the Florida
109 certified public accountant that the applicant satisfactorily
110 completed the continuing education requirements set forth under
111 s. 473.311. If the license is delinquent on January 1 because of
112 failure to report completed continuing education requirements,
113 the applicant must submit a complete application to the board by
114 March 15 immediately after the delinquent period.

115 (c)~~(4)~~ Any Florida certified public accountant holding an
116 inactive license may be permitted to reactivate such license in

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117 a conditional manner. The conditions of reactivation shall
118 require the payment of fees and the completion of required
119 continuing education.

120 (d)~~(5)~~ Notwithstanding the provisions of s. 455.271, the
121 board may, at its discretion, reinstate the license of an
122 individual whose license has become null and void if the
123 individual has made a good faith effort to comply with this
124 section but has failed to comply because of illness or unusual
125 hardship. The individual shall apply to the board for
126 reinstatement in a manner prescribed by rules of the board and
127 shall pay an application fee in an amount determined by rule of
128 the board. The board shall require that the individual meet all
129 continuing education requirements as provided in paragraph (a)
130 ~~subsection (2)~~, pay appropriate licensing fees, and otherwise be
131 eligible for renewal of licensure under this chapter.

132 (2) A Florida certified public accountant who is at least
133 55 years of age and currently holds an active or inactive
134 license under this chapter may apply to the department for her
135 or his license to be placed in a retired status. The application
136 must be prescribed by the board and must state that the
137 applicant has no association with accounting or any of the
138 services described in s. 473.302(8)(a), (c), or (d). If a
139 licensee who has been granted retired status reenters the
140 workforce in a position that has an association with accounting
141 or any of the services described in s. 473.302(8)(a), (c), or
142 (d), the licensee automatically loses her or his retired status,
143 except as provided in paragraph (a).

144 (a) A retired licensee who serves without compensation on a
145 board of directors or board of trustees, provides volunteer tax

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146 preparation services, participates in a government-sponsored
147 business mentoring program such as the Internal Revenue
148 Service's Volunteer Income Tax Assistance program or the Small
149 Business Administration's SCORE program, or participates in an
150 advisory role for a similar charitable, civic, or other
151 nonprofit organization shall continue to be eligible for retired
152 status.

153 (b) The board shall require a retired licensee to affirm in
154 writing her or his understanding of the limited types of
155 activities in which she or he may engage while in retired status
156 and that she or he has a professional duty to ensure that she or
157 he holds the professional competencies necessary to participate
158 in such activities.

159 (c) Licensees may convert their license to retired status
160 only if they hold a license in good standing and are not the
161 subject of any sanction or disciplinary action.

162 (d) A retired licensee may accept routine reimbursement for
163 actual costs of travel and meals associated with volunteer
164 services or de minimis per diem amounts paid to the licensee to
165 cover such expenses, as allowed by law.

166 (e) A retired licensee may use the title of "retired CPA"
167 on any business card or letterhead or any other printed or
168 electronic document. However, such title may not be applied in
169 such a manner that could confuse the public as to the current
170 status of the licensee. The licensee is not required to have a
171 certificate issued with the word "retired" on the certificate.

172 (f) A retired licensee is not required to maintain the
173 continuing education requirements under s. 473.312.

174 (g) A retired licensee may not offer or render professional

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175 services that require her or his signature and use of the CPA
176 title, regardless of whether the word "retired" is attached to
177 such title.

178 (h) A retired licensee may reactivate her or his license in
179 a conditional manner determined by board rules. The conditions
180 of reactivation must require the payment of fees and the
181 completion of any required continuing education.

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183 For the purposes of this subsection, the term "retired licensee"
184 means a licensee whose license has been placed in retired status
185 by the department.

186 Section 5. This act shall take effect July 1, 2021.