A bill to be entitled

An act relating to public accountancy; amending s. 473.301, F.S.; making a technical change regarding the purpose of ch. 473, F.S.; amending s. 473.302, F.S.; deleting the definition of the term "Uniform Accountancy Act"; amending s. 473.3035, F.S.; authorizing the Board of Accountancy to competitively procure contracted services with certain corporations not for profit for the performance of certain duties assigned to the Division of Certified Public Accounting of the Department of Business and Professional Regulation; authorizing the board to rescind such contracted services at any time by a majority vote; amending s. 473.306, F.S.; conforming a cross-reference; making a technical change; amending s. 473.308, F.S.; revising the education and work experience requirements for a certified public accountant license; directing the board to prescribe specified coursework for licensure; revising requirements for licensure by endorsement; revising requirements for licensure of international applicants; deleting obsolete language; amending s. 473.312, F.S.; revising requirements for the approval of providers who administer continuing education on ethics for certified public accountants; requiring the board to give preference to certain providers; amending s. 473.3141, F.S.; revising requirements for certified public accountants licensed in another state or a territory of the United States to practice in this state without obtaining a license; reenacting s. 473.311(1)(b), F.S., relating to renewal of license, to incorporate the amendment made to s. 473.312, F.S., in references thereto; providing an effective date.

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

Section 1. Section 473.301, Florida Statutes, is amended to read:

473.301 Purpose.—The Legislature recognizes that there is a public need for independent and objective <u>certified</u> public accountants and that it is necessary to regulate the practice of public accounting to assure the minimum competence of practitioners and the accuracy of audit statements upon which the public relies and to protect the public from dishonest practitioners and, therefore, deems it necessary in the interest of public welfare to regulate the practice of public accountancy in this state.

Section 2. Subsection (9) of section 473.302, Florida Statutes, is amended to read:

473.302 Definitions.—As used in this chapter, the term:

~~(9) "Uniform Accountancy Act" means the Uniform Accountancy Act, Eighth Edition, dated January 2018 and published by the American Institute of Certified Public Accountants and the National Association of State Boards of Accountancy.~~

However, these terms shall not include services provided by the American Institute of Certified Public Accountants or the Florida Institute of Certified Public Accountants, or any full service association of certified public accounting firms whose plans of administration have been approved by the board, to their members or services performed by these entities in reviewing the services provided to the public by members of these entities.

Section 3. Subsection (1) of section 473.3035, Florida Statutes, is amended to read:

473.3035 Division of Certified Public Accounting.—

(1) All services concerning this chapter, including, but not limited to, recordkeeping services, examination services, legal services, and investigative services, and those services in chapter 455 necessary to perform the duties of this chapter are ~~shall be~~ provided by the Division of Certified Public Accounting. The board may, by majority vote, delegate a duty or duties to the appropriate division within the department or competitively procure contracted services pursuant to part I of

chapter 287 for the performance of such duties, except for investigative services. All such contracted services must be fulfilled by corporations organized under chapter 617. The board may, by majority vote, rescind any such delegation of duties or contracted services at any time.

Section 4. Subsection (3) of section 473.306, Florida Statutes, is amended, and subsection (4) of that section is republished, to read:

473.306 Examinations.—

(3) An applicant is entitled to take the licensure examination to practice in this state as a certified public accountant if:

(a) The applicant has completed 120 semester hours or 180 quarter hours from an accredited college or university with a concentration in accounting and business ~~courses~~ as prescribed ~~specified~~ by the board by rule; and

(b) The applicant shows that she or he has good moral character. For purposes of this paragraph, the term "good moral character" has the same meaning as provided in s. 473.308(6)(a) ~~s. 473.308(7)(a)~~. The board may refuse to allow an applicant to take the licensure examination for failure to satisfy this requirement if:

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

and

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

If an applicant is found pursuant to this paragraph to be unqualified to take the licensure examination because of a lack of good moral character, the board must ~~shall~~ furnish to the applicant a statement containing the findings of the board, a complete record of the evidence upon which the determination was based, and a notice of the rights of the applicant to a rehearing and appeal.

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

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

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

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

(d) What courses and number of hours constitute additional accounting courses acceptable under s. 473.308(4).

Section 5. Subsections (4) through (10) of section 473.308, Florida Statutes, are amended to read:

473.308 Licensure.—

(4)(a) An applicant for licensure must do at least one of the following:

1. Complete ~~have~~ at least 150 semester hours of college education, including a baccalaureate or higher degree conferred by an accredited college or university, with a concentration in accounting and business as prescribed by the board ~~in the total educational program to the extent specified by the board~~.

2. Hold a master's degree in accounting or finance conferred by an accredited college or university with a concentration in accounting and business as prescribed by the board.

3. Hold a baccalaureate degree in accounting or finance conferred by an accredited college or university with a concentration in accounting and business as prescribed by the board.

4. Hold a baccalaureate degree in any major course of study conferred by an accredited college or university and have completed coursework required for a concentration in accounting and business as prescribed by the board.

(b) The board shall prescribe the coursework required for a concentration in accounting and business. The board may deem an applicant to have satisfied requirements for such coursework if the applicant receives a baccalaureate or higher degree in accounting or finance conferred by an accredited college or university in a state or territory of the United States. An applicant receiving a baccalaureate or higher degree with a major course of study other than accounting or finance must complete the coursework required for a concentration in accounting and business as prescribed by the board.

(5)(a) An applicant for licensure who completes the education requirements under subparagraph (4)(a)1. or subparagraph (4)(a)2. ~~after December 31, 2008,~~ must show ~~that he or she has had~~ 1 year of work experience. An applicant who completes the education requirements under subparagraph (4)(a)3. or subparagraph (4)(a)4. must show 2 years of work experience.

(b) Such work ~~This~~ experience includes ~~shall include~~ providing any type of service or advice involving the use of accounting, attest, compilation, management advisory, financial advisory, tax, or consulting skills, all of which must be verified by a certified public accountant who is licensed by a state or territory of the United States. This experience is acceptable if it was gained through employment in government, industry, academia, or public practice; constituted a substantial part of the applicant's duties; and was verified by a certified public accountant licensed by a state or territory of the United States. The board shall adopt rules specifying standards and providing for the review and approval of the work experience required by this subsection ~~section~~.

~~(b) However, an applicant who completed the requirements of subsection (4) on or before December 31, 2008, and who passes~~

~~the licensure examination on or before June 30, 2010, is exempt from the requirements of this subsection.~~

(6)(a) An applicant for licensure must ~~shall~~ show that he or she ~~the applicant~~ has good moral character. For purposes of this paragraph, the term

~~(7)(a)~~ "good moral character" means a personal history of honesty, fairness, and respect for the rights of others and for the laws of this state and nation.

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

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

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

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

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

~~(a) Is not licensed and has not been licensed in any state~~

~~or territory and who has met the requirements of this section for education, work experience, and good moral character and has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; or~~

~~(b)1.~~ holds an active ~~a valid~~ license in good standing to practice public accounting issued by another state or a territory of the United States, if the applicant has maintained good moral character and, at the time of licensure by such other state or territory, the applicant was required to show evidence of having obtained at least a baccalaureate degree from an accredited college or university and having passed the Uniform CPA Examination ~~criteria for issuance of such license were substantially equivalent to the licensure criteria that existed in this state at the time the license was issued;~~

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

~~3. Holds a valid license to practice public accounting issued by another state or territory of the United States for at~~

~~least 10 years before the date of application; has passed a national, regional, state, or territorial licensing examination that is substantially equivalent to the examination required by s. 473.306; and has met the requirements of this section for good moral character~~.

(8) ~~(9)~~ An international applicant who seeks licensure as a certified public accountant in this state must do at least one of the following:

(a) Hold an active license in good standing to ~~If the applicant has at least 5 years of experience in the practice of public accountancy in the United States or in the practice of public accountancy or its equivalent in a foreign country that the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has determined has licensure standards that are substantially equivalent to those in the United States, or has at least 5 years of work experience that meets the requirements of subsection (5), the board must waive the requirements of subsection (4) which are in excess of a baccalaureate degree. All experience that is used as a basis for waiving the requirements of subsection (4) must be while licensed as a certified public accountant by another state or territory of the United States or while licensed in the~~ practice ~~of~~ public accounting, ~~accountancy~~ or its equivalent, in a foreign country that the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has determined has licensure standards equal ~~that are substantially equivalent~~ to those in the United States and has passed an exam pursuant to s. 473.306(5).

(b) Hold an active license in good standing to practice public accounting, or its equivalent, in a foreign country that the International Qualifications Appraisal Board of the National Association of State Boards of Accountancy has not determined has licensure standards equal to those in the United States and has met the requirements for education, work experience, and good moral character under subsections (4), (5), and (6) and has passed the Uniform CPA exam. The board shall have the authority to establish the standards for experience that meet this requirement.

(9) ~~(10)~~ The board may refuse to certify for licensure any applicant who is under investigation in another state for any act that would constitute a violation of this act or chapter 455, until such time as the investigation is complete and disciplinary proceedings are ~~have been~~ terminated.

Section 6. Paragraph (c) of subsection (1) of section 473.312, Florida Statutes, is amended to read:

473.312 Continuing education.—

(1)

(c) At least ~~Not less than~~ 5 percent of the total hours required by the board must ~~shall~~ be in ethics applicable to the practice of public accounting~~. This requirement shall be~~

~~administered by providers approved by the board~~, and a majority of the hours must ~~shall~~ include a review of ~~the provisions of~~ chapter 455 and this chapter and the related administrative rules. Such requirement must be administered by reputable providers determined by the board. The board shall give preference to corporations not for profit organized under chapter 617 who are exempt from taxation under s. 501(c)(6) of the Internal Revenue Code and who demonstrate their experience, integrity, knowledge, practice, professional responsibility, and representation of the largest numbers of certified public accountants in this state.

Section 7. Subsections (1) and (3) of section 473.3141, Florida Statutes, are amended to read:

473.3141 Certified public accountants licensed in other states.—

(1) ~~Except as otherwise provided in this chapter,~~ An individual who holds an active license in good standing to practice public accounting in another state or a territory of the United States and who does not have an office in this state has the privileges of Florida certified public accountants and may provide public accounting services in this state without obtaining a license under this chapter or notifying or registering with the board or paying a fee if, at the time of licensure by such other state or territory, the individual was required to show evidence of having obtained at least a

baccalaureate degree and having passed the Uniform CPA Examination~~:~~

~~(a) Holds a valid license as a certified public accountant from a state that the board or its designee has determined by rule to have adopted standards that are substantially equivalent to the certificate requirements in s. 5 of the Uniform Accountancy Act in the issuance of licenses; or~~

~~(b) Holds a valid license as a certified public accountant from a state that has not been approved by the board as having adopted standards in substantial equivalence with s. 5 of the Uniform Accountancy Act, but obtains verification from the board, or its designee, as determined by rule, that the individual's certified public accountant qualifications are substantially equivalent to the certificate requirements in s. 5 of the Uniform Accountancy Act~~.

The board shall define by rule what constitutes an office.

(3) An individual certified public accountant from another state or a territory of the United States who practices pursuant to this section, and the firm that employs that individual, must ~~shall~~ both consent, as a condition of the privilege of practicing in this state:

(a) To the ~~personal and subject matter~~ jurisdiction and disciplinary authority of the board;

(b) To comply with this chapter and the applicable board rules;

(c) That if the individual's license as a certified public accountant from another ~~the~~ state or a territory of the United States becomes invalid ~~of the individual's principal place of business is no longer valid~~, the individual must ~~will~~ cease offering or rendering public accounting services in this state, individually and on behalf of a firm; and

(d) To the appointment of the ~~state~~ board that issued the individual's license as the agent upon whom process may be served in any action or proceeding by the board or department against the individual or firm.

Section 8. For the purpose of incorporating the amendment made by this act to section 473.312, Florida Statutes, in references thereto, paragraph (b) of subsection (1) of section 473.311, Florida Statutes, is reenacted to read:

473.311 Renewal of license.—

(1)

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

Section 9. This act shall take effect July 1, 2026.