

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1757 Session of 2019

INTRODUCED BY BROWN, JAMES, PICKETT, FREEMAN, STAATS, BARRAR, SAINATO, BERNSTINE, SCHLEGEL CULVER, ULLMAN, CALTAGIRONE, READSHAW, CIRESI, KIM, ZIMMERMAN, MOUL, HILL-EVANS, KEEFER, MALAGARI AND MADDEN, AUGUST 30, 2019

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, AUGUST 30, 2019

AN ACT

1 Amending the act of May 26, 1947 (P.L.318, No.140), entitled "An
 2 act relating to the practice of public accounting; providing
 3 for the examination, education and experience requirements
 4 for certification of certified public accountants and for the
 5 licensing of certified public accountants, public accountants
 6 and firms; requiring continuing education and peer review;
 7 providing for the organization and ownership of firms and for
 8 the procedures and grounds for discipline and reinstatement
 9 of licensees; prescribing the powers and duties of the State
 10 Board of Accountancy and the Department of State; providing
 11 for ownership of working papers and confidentiality;
 12 regulating the professional responsibility of licensees;
 13 defining unlawful acts and acts not unlawful; providing
 14 penalties; and repealing existing laws," establishing a
 15 continuing education pilot program for certified public
 16 accountants assisting volunteer firefighter organizations.

17 The General Assembly of the Commonwealth of Pennsylvania
 18 hereby enacts as follows:

19 Section 1. The act of May 26, 1947 (P.L.318, No.140), known
 20 as the CPA Law, is amended by adding a section to read:

21 Section 8.10. Continuing Education Pilot Program for
 22 Certified Public Accountants Assisting Volunteer Firefighter
 23 Organizations.--(a) A continuing education pilot program for
 24 certified public accountants assisting volunteer firefighter

1 organizations is established. The pilot program shall expire
2 after four years.

3 (b) The following shall apply to the pilot program:

4 (1) A certified public accountant may earn up to forty hours
5 of the continuing education requirement under section 8.2(b).

6 (2) A certified public accountant may not be charged a
7 biennial renewal fee.

8 (3) Each hour earned may be used towards renewal of a
9 license and may not be used for reactivation of a license.

10 (4) A certified public accountant may only review the
11 financial statements and records of the volunteer firefighter
12 organization and may not perform auditing for the volunteer fire
13 organization.

14 (5) The pilot program shall be administered in accordance
15 with 49 Pa. Code § 11.71 (relating to responsibilities of CPE
16 program sponsor).

17 (6) Oversight of a certified public account shall be
18 conducted by a CPE program sponsor approved under 49 Pa. Code §
19 § 11.69a (relating to approval of CPE program sponsor).

20 (c) A certified public accountant must be a resident of this
21 Commonwealth in order to be eligible to participate in the pilot
22 program.

23 (d) A volunteer firefighter organization must be located in
24 this Commonwealth in order to be eligible to participate in the
25 pilot program.

26 (e) The following shall apply to liability:

27 (1) Each chief elected officer of a volunteer firefighter
28 organization, certified public accountant and CPE program
29 sponsor must sign a waiver of liability in order to participate
30 in the pilot program.

1 (2) A waiver under paragraph (1) of this subsection shall:

2 (i) Be considered as a contract among the signers.

3 (ii) Require that:

4 (A) The certified public accountant maintain confidentiality
5 concerning the volunteer firefighter organization, except for
6 illegal activities, and interact directly with the volunteer
7 firefighter organization's chief elected officer.

8 (B) The volunteer firefighter organization agree to give the
9 certified public accountant full access to the financial
10 statements and records of the volunteer firefighter organization
11 and the ability to report illegal activities the certified
12 public accountant finds without being subject to liability for
13 civil damages.

14 (C) The CPE program sponsor maintain confidentiality
15 concerning the volunteer firefighter organization and accept
16 responsibility for the certified public accountant's behavior
17 while interacting with the volunteer firefighter organization's
18 members and for the work the certified public accountant
19 performs.

20 (f) The following shall apply to procedure:

21 (1) A certified public accountant participating in the pilot
22 program:

23 (i) Shall be assigned by the CPE program sponsor to a
24 volunteer firefighter organization in the certified public
25 accountant's area. The certified public accountant must review
26 the financial statements or records of the volunteer firefighter
27 organization in a manner as provided under 49 Pa. Code § 11.68
28 (relating to documentation of CPE hours).

29 (ii) Must document and submit the certified public
30 accountant's hours to the CPE program sponsor after every

1 session with the volunteer firefighter organization.

2 (iii) Must, within seven days of the end of the second year
3 of the pilot program, submit a report to the certified public
4 accountant's CPE program sponsor consisting of each accounting
5 problem faced and each solution proposed to the volunteer
6 firefighter organization.

7 (2) A volunteer firefighter organization must submit to the
8 CPE program sponsor the volunteer firefighter organization's
9 name, address and telephone number in a letter indicating that
10 the volunteer firefighter organization is interested in
11 participating in the pilot program.

12 (3) A volunteer firefighter organization's chief elected
13 officer must submit to the CPE program sponsor an evaluation of
14 the certified public accountant's service. The CPE program
15 sponsor shall send a copy of the evaluation to the board for use
16 in the pilot program's overall evaluation.

17 (g) As used in this section, the following words and phrases
18 shall have the meanings given to them in this subsection unless
19 the context clearly indicates otherwise:

20 "Volunteer firefighter organization." A nonprofit chartered
21 corporation, association or organization located in this
22 Commonwealth which provides fire protection services and which
23 may offer other voluntary emergency services within this
24 Commonwealth. Voluntary emergency services provided by a
25 volunteer fire company may include voluntary ambulance and
26 voluntary rescue services.

27 Section 2. This act shall take effect in 60 days.