

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 430 Session of 2017

INTRODUCED BY R. BROWN, BARRAR, V. BROWN, CAUSER, D. COSTA, DEASY, DUNBAR, FARRY, GABLER, A. HARRIS, PHILLIPS-HILL, JAMES, KORTZ, MILLARD, MURT, PETRARCA, READSHAW, SAINATO, SNYDER, WARD, WATSON AND ZIMMERMAN, FEBRUARY 10, 2017

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, FEBRUARY 10, 2017

AN ACT

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

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

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

22 Section 8.10. Continuing Education Pilot Program for
 23 Certified Public Accountants Assisting Volunteer Firefighter
 24 Organizations.--(a) A continuing education pilot program for

1 certified public accountants assisting volunteer firefighter
2 organizations is established. The pilot program shall expire
3 after four years.

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

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

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

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

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

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

19 (6) Oversight of a certified public account shall be
20 conducted by a CPE program sponsor approved under 49 Pa. Code §
21 § 11.69a (relating to approval of CPE program sponsor).

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

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

28 (e) The following shall apply to liability:

29 (1) Each chief elected officer of a volunteer firefighter
30 organization, certified public accountant and CPE program

1 sponsor must sign a waiver of liability in order to participate
2 in the pilot program.

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

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

5 (ii) Require that:

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

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

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

22 (f) The following shall apply to procedure:

23 (1) A certified public accountant participating in the pilot
24 program:

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

1 (ii) Must document and submit the certified public
2 accountant's hours to the CPE program sponsor after every
3 session with the volunteer firefighter organization.

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

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

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

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

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

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