

## SENATE AMENDMENTS TO SENATE BILL 867

By COMMITTEE ON BUSINESS AND TRANSPORTATION

May 4

- 1 On page 1 of the printed bill, line 2, after “673.012” insert “, 673.150”.
- 2 In line 3, after “673.185” insert “, 673.220”.
- 3 On page 4, delete lines 1 through 9 and insert:
- 4 “(21) ‘Substantial equivalency’ means that:
- 5 “(a) An individual holds a valid license as a certified public accountant from another state that
- 6 requires an individual, as a condition of licensure as a certified public accountant, to:
- 7 “(A) Complete at least 150 semester hours of college education and obtain a baccalaureate or
- 8 higher degree conferred by a college or university;
- 9 “(B) Achieve a passing grade on the Uniform Certified Public Accountant Examination; and
- 10 “(C) Possess at least one year of experience, verified by a licensee, providing any type of service
- 11 or advice involving the use of accounting, attestation, compilation, management advisory, financial
- 12 advisory, tax or related consulting skills, obtained through public practice or government, industry
- 13 or academic work; or
- 14 “(b) An individual has the qualifications specified in paragraph (a) of this subsection and holds
- 15 a valid license as a certified public accountant from another state that does not require an individ-
- 16 ual to have the qualifications specified in paragraph (a) of this subsection as a condition of licensure
- 17 as a certified public accountant.”.
- 18 Delete lines 16 through 45.
- 19 On page 5, delete lines 1 through 36 and insert:
- 20 “**SECTION 3.** ORS 673.153 is amended to read:
- 21 “673.153. (1) [*The Oregon Board of Accountancy may authorize*] A holder of a license with a
- 22 principal place of business in another state [*to*] **may** practice public accountancy in this state if the
- 23 holder [*holds in good standing a valid certificate and license as a certified public accountant from:*]
- 24 “[*(a)*] **has a license from** another state that is [*verified to be*] of substantial equivalency, as
- 25 defined in ORS 673.010 (21)[*(a)*].
- 26 “[*(b) Another state that is not verified to be of substantial equivalency, as defined in ORS 673.010*
- 27 [*(21)(a), but the holder’s skills are verified to be of substantial equivalency, as defined in ORS 673.010*
- 28 [*(21)(b).*]
- 29 “(2)(a) A holder authorized under subsection (1) of this section [*shall be presumed to meet*] **meets**
- 30 this state’s requirements to practice public accountancy and [*shall have*] **has** all the rights and
- 31 privileges of certificate holders and licensees of this state without the need to obtain a certificate
- 32 under ORS 673.040 or a permit under ORS 673.150.
- 33 “(b) **The Oregon Board of Accountancy may not require, as a condition for practicing**
- 34 **public accountancy under this section, an authorized holder to:**
- 35 “(A) **Provide notice that the holder practices or intends to practice public accountancy**

1 **in this state;**

2 **“(B) Pay an annual fee for the authorization; or**

3 **“(C) Provide any other submission.**

4 *“(3) A holder of a license from another state who is engaged in the practice of public accountancy*  
5 *under this section shall:]*

6 *“(a) Notify the board of the holder’s intent to practice public accountancy in this state on a form*  
7 *provided by the board;]*

8 *“(b) Pay an annual fee in an amount and by the date determined by the board by rule;]*

9 **“(3) An authorized holder practicing public accountancy under this section is deemed to:**

10 *“(c) (a) Consent to the personal and subject matter jurisdiction of the board;*

11 *“(d) (b) Agree to comply with the requirements of ORS 673.010 to 673.457 and any rules*  
12 *adopted thereunder; [and]*

13 **“(c) If the license under which the holder is authorized to practice public accountancy**  
14 **under this section is no longer valid, agree to immediately cease offering or rendering pro-**  
15 **fessional services in this state individually or on behalf of a business firm; and**

16 *“(e) (d) Agree to the appointment of the other state’s licensing authority as the agent of the*  
17 *holder, upon whom process may be served in any action or proceeding by the board against the*  
18 *holder.*

19 **“(4)(a) A business organization that employs a holder authorized to practice public**  
20 **accountancy under this section is deemed to:**

21 **“(A) Consent to the personal and subject matter jurisdiction of the board;**

22 **“(B) Agree to comply with the requirements of ORS 673.010 to 673.457 and any rules**  
23 **adopted thereunder;**

24 **“(C) If the license under which the holder is authorized to practice public accountancy**  
25 **under this section is no longer valid, agree to require the following persons to immediately**  
26 **cease offering or rendering professional services in this state:**

27 **“(i) The holder; and**

28 **“(ii) Any other person who is employed by the business organization and who is offering**  
29 **or rendering professional services in this state pursuant to the holder being authorized to**  
30 **practice public accountancy under this section; and**

31 **“(D) Agree to the appointment of the licensing authority of the state issuing the license**  
32 **that is the basis of the holder’s authorization to practice public accountancy under this**  
33 **section as the agent of the business organization, upon whom process may be served in any**  
34 **action or proceeding by the board against the business organization that employs the holder**  
35 **during the time the holder is practicing public accountancy in this state.**

36 **“(b) For purposes of this subsection, a person practicing as a sole proprietor is a business**  
37 **organization.**

38 **“(5) A holder authorized to practice public accountancy under this section may not per-**  
39 **form the following professional services for a business organization that has its home office**  
40 **in this state unless the business organization is registered under ORS 673.160:**

41 **“(a) Financial statement audits or other engagements to be performed in accordance with**  
42 **the Statements on Auditing Standards (SAS);**

43 **“(b) Examinations of prospective financial information to be performed in accordance**  
44 **with the Statements on Standards for Attestation Engagements (SSAE); and**

45 **“(c) Engagements to be performed in accordance with the auditing standards of the**

1 **Public Company Accounting Oversight Board.”.**

2 On page 7, line 40, delete “an amount prescribed by the board by rule” and insert “the amount  
3 of \$175”.

4 On page 9, line 45, delete “may” and insert “shall”.

5 On page 15, delete lines 4 through 12 and insert:

6 “**SECTION 12.** ORS 673.150 is amended to read:

7 “673.150. (1) **The Oregon Board of Accountancy shall issue biennially** a permit to engage in  
8 the practice of public accountancy in this state [*shall be issued by the Oregon Board of Accountancy*  
9 *biennially*] to an applicant who is:

10 “(a) A holder of the certificate of certified public accountant issued under ORS 673.040 to  
11 673.075; or

12 “(b) A public accountant licensed under ORS 673.100.

13 “(2) The board by rule shall cause all permits issued under this section to be renewed biennially.

14 “(3) Applications for permits or for renewals of permits may be submitted to the board on a form  
15 prescribed by the board within such time periods as the board prescribes by rule. Applications for  
16 permits or for renewals of permits [*shall*] **must** be accompanied by a fee [*determined by the board*  
17 *by rule*] **in the amount of \$160.**

18 “(4) Applications for renewals of permits [*shall*] **must** be accompanied by evidence satisfactory  
19 to the board that the applicant has complied with continuing education requirements under ORS  
20 673.165 unless those requirements have been waived by the board.

21 “(5) A permit that is not renewed by the close of the permit period may be restored upon pay-  
22 ment to the board of a delinquent renewal fee in an amount determined by the board by rule.  
23 [*Any*] A permit that is not renewed within 60 days after the close of the permit period for which it  
24 was issued or renewed [*shall lapse*] **lapses**. The board may restore a lapsed permit upon payment  
25 [*to it*] of all past unpaid renewal fees and the delinquent renewal fee. However, the board may re-  
26 store a permit issued or renewed for a permit period that ended more than five years prior to the  
27 date of the application for restoration only upon demonstration satisfactory to the board that the  
28 applicant is qualified to engage in the practice of public accountancy.

29 “(6) Notwithstanding subsection (3) of this section, the board may by rule prescribe a reduced  
30 fee for renewal of permits of those certified public accountants and public accountants who have  
31 reached the age of 65 years.

32 “**SECTION 13.** ORS 673.220 is amended to read:

33 “673.220. (1) The Oregon Board of Accountancy may grant inactive status to [*any*] a licensee  
34 who does not [*hold the licensee out*] **represent** to clients or the public [*as*] **that the licensee is**  
35 a certified public accountant or a public accountant and **who** does not engage in the practice of public  
36 accountancy, if the license is not suspended or revoked.

37 “(2) A licensee granted inactive status by the board:

38 “(a) Must pay [*any*] a fee:

39 “**(A) In the amount of \$50 for becoming or remaining inactive; and**

40 “**(B) In an amount determined by the board by rule for [*becoming or remaining inactive or*] be-  
41 coming active.**

42 “(b) May not [*hold the licensee out*] **represent** to clients or the public [*as*] **that the licensee is**  
43 a certified public accountant or a public accountant or otherwise engage in the practice of public  
44 accountancy until restored to active status.

45 “(3) The board by rule shall adopt procedures and requirements for granting and renewing in-

1 active status and for restoring to active status any licensee on inactive status.

2 “(4) The board may restore a lapsed permit to inactive status upon payment [*to it*] of all past  
3 unpaid renewal fees and the delinquent renewal fee as provided in ORS 673.150 (5).

4 “(5) The board shall maintain a current roster of all licensees granted inactive status.

5 **“SECTION 14. The Oregon Board of Accountancy may take any action before the opera-**  
6 **tive date specified in section 15 of this 2009 Act that is necessary for the board to exercise,**  
7 **on and after the operative date specified in section 15 of this 2009 Act, all of the duties,**  
8 **functions and powers conferred on the board by the amendments to ORS 673.010, 673.012,**  
9 **673.150, 673.153, 673.160, 673.170, 673.185, 673.220, 673.320, 673.445 and 673.455 by sections 1 to**  
10 **9, 12 and 13 of this 2009 Act.**

11 **“SECTION 15. The amendments to ORS 673.010, 673.012, 673.150, 673.153, 673.160, 673.170,**  
12 **673.185, 673.220, 673.320, 673.400, 673.445, 673.455 and 673.465 by sections 1 to 13 of this 2009**  
13 **Act become operative on January 1, 2010.”.**

14 In line 13, delete “14” and insert “16”.

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