

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL
No. 2785 Session of
1980

INTRODUCED BY POLITE, JUNE 24, 1980

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE, JUNE 24, 1980

AN ACT

1 Amending the act of May 26, 1947 (P.L.318, No.140), entitled, as
2 amended, "An act relating to the public practice of certified
3 public accountants; providing for the certification of
4 persons desiring to practice, the registrations of public
5 accountants, requiring continuing education for registrants,
6 and the listing of persons engaged in practicing as certified
7 public accountants and public accountants, and for the
8 suspension and revocation of such certificates, subject to
9 appeal and for their reinstatement; prescribing the powers
10 and duties of the State Board of Examiners of Public
11 Accountants and the Department of State; providing for
12 ownership of working papers; defining unlawful acts and acts
13 not unlawful; providing penalties, and repealing existing
14 laws," providing for hearing examiners.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. Section 9, act of May 26, 1947 (P.L.318, No.140),
18 known as "The C.P.A. Law," reenacted and amended December 8,
19 1976 (P.L.1280, No.286), is amended to read:

20 Section 9. Procedure for the Suspension and Revocation of
21 Certificates; Appeals.--The procedure to be followed in the
22 suspension and revocation of certificates, registrations or
23 permits to practice under this act, censure of certificate

1 holders or registrants, and in appeals taken from actions of the
2 board shall be that prescribed by [the act, approved the fourth
3 day of June, one thousand nine hundred forty-five (Pamphlet Laws
4 1388), known as the Administrative Agency Law, and its
5 amendments, and any General Rules of Administrative Practice and
6 Procedure promulgated by the board pursuant to said act.] Title
7 2 of the Pennsylvania Consolidated Statutes (relating to
8 administrative law and procedure). The board shall appoint, with
9 the approval of the Governor, such hearing examiners as shall be
10 necessary to conduct hearings as may be required under this
11 section. The board shall have the power to adopt and promulgate
12 rules and regulations setting forth the functions, powers,
13 standards and duties to be followed by the hearing examiners.
14 The hearing examiners shall have the power to conduct hearings
15 in accordance with the regulations of the board, and to issue
16 subpoenas requiring the attendance and testimony of individuals
17 or the production of, pertinent books, records, documents and
18 papers by persons whom they believe to have information relevant
19 to any matter pending before the examiner. Such examiner shall
20 also have the power to administer oaths. The hearing examiner
21 shall hear evidence submitted and arguments of counsel, if any,
22 with reasonable dispatch, and shall promptly record his
23 decision, supported by findings of fact, and a copy thereof
24 shall immediately be sent to the board and to counsel of record,
25 or the parties, if not represented. If application for review is
26 made to the board within twenty days from the date of any
27 decision made as a result of a hearing held by a hearing
28 examiner, the board shall review the evidence, and if deemed
29 advisable by the board, hear argument and additional evidence.
30 As soon as practicable, the board shall make a decision and

1 shall file the same with its finding of the facts on which it is
2 based and send a copy thereof to each of the parties in dispute.
3 Section 2. This act shall take effect in 60 days.