

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1860 Session of
2015

INTRODUCED BY R. BROWN, BARRAR, BOBACK, COHEN, D. COSTA,
SCHLEGEL CULVER, DUNBAR, GILLEN, GREINER, GROVE, A. HARRIS,
HEFFLEY, PHILLIPS-HILL, KAUFFMAN, MILLARD, MILNE, OBERLANDER,
PETRI, QUIGLEY, QUINN, READSHAW, ROZZI, SACCONI, SAINATO,
STAATS, THOMAS, WARD AND WATSON, FEBRUARY 17, 2016

REFERRED TO COMMITTEE ON PROFESSIONAL LICENSURE,
FEBRUARY 17, 2016

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, reenacted and amended December 8, 1976
22 (P.L.1280, No.286), is amended by adding a section to read:

23 Section 8.3. Continuing Education Pilot Program for

1 Certified Public Accountants Assisting Volunteer Firefighter
2 Organizations.--(a) A continuing education pilot program for
3 certified public accountants assisting volunteer firefighter
4 organizations is established. The pilot program shall expire
5 after four years.

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

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

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

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

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

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

21 (6) Oversight of a certified public account shall be
22 conducted by a CPE program sponsor approved under 49 Pa. Code §
23 § 11.69a (relating to approval of CPE program sponsor).

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

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

30 (e) The following shall apply to liability:

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

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

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

7 (ii) Require that:

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

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

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

24 (f) The following shall apply to procedure:

25 (1) A certified public accountant participating in the pilot
26 program:

27 (i) Shall be assigned by the CPE program sponsor to a
28 volunteer firefighter organization in the certified public
29 accountant's area. The certified public accountant must review
30 the financial statements or records of the volunteer firefighter

1 organization in a manner as provided under 49 Pa. Code § 11.68
2 (relating to documentation of CPE hours).

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

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

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

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

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

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

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