

## LEGISLATIVE BILL 75

Approved by the Governor March 11, 1991

Introduced by Hartnett, 45; Lynch, 13

AN ACT relating to accountants; to amend sections 1-106, 1-114 to 1-121, 1-124, 1-127, 1-136.04, and 1-169, Reissue Revised Statutes of Nebraska, 1943; to create an advisory committee; to provide powers and duties; to change requirements for the certificate of certified public accountant; to harmonize provisions; to provide duties for the Revisor of Statutes; and to repeal the original sections.

Be it enacted by the people of the State of Nebraska,

Section 1. That section 1-106, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-106. As used in sections 1-106 to 1-169 For purposes of the Public Accountancy Act of 1957, unless the context shall otherwise require, board -

~~(1) Board~~ shall mean the Nebraska State Board of Public Accountancy.

Sec. 2. (1) The board shall appoint an advisory committee consisting of at least seven members. A majority of the members shall be appointed as representatives of the postsecondary educational institutions of Nebraska engaged in instruction in the area of accounting and auditing, including the University of Nebraska, the Nebraska state colleges, and private universities and colleges. One member shall be a certified public accountant who is a member of the board.

(2) Beginning in 1995, the advisory committee shall meet at least annually and shall advise the board upon the rules and regulations for section 1-116 relating to educational requirements. The board may also consult the advisory committee on any other issues which it deems appropriate.

Sec. 3. That section 1-114, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-114. (1) Prior to January 1, 1998, the board shall grant a The certificate of certified public accountant ~~shall be granted by the board~~ to any person ~~(1) (a)~~ who is a resident of this state or has a place

of business therein or, as an employee, is regularly employed therein, (2) (b) who has graduated from a college or university of recognized standing, and (3) (c) who has passed a written examination in theory of accounts, in accounting, practice, in auditing, and in such other related subjects as the board shall determine determines to be appropriate.

(2) On and after January 1, 1998, the board shall grant a certificate of certified public accountant to any person (a) who is a resident of this state or has a place of business in this state or, as an employee, is regularly employed in this state and (b) who has passed a written examination in accounting, auditing, and such other related subjects as the board determines to be appropriate.

Sec. 4. That section 1-115, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-115. The examinations described in subdivision (3) of section 1-114 shall be held by the board and shall take place as often as the board shall determine determines to be desirable, but such examinations shall be held not less frequently than once each year. The board may make such use of all or any part of the Uniform Certified Public Accountants' Examination or Advisory Grading Service, or either of them, as it deems appropriate to assist it in performing its duties, hereunder.

Sec. 5. That section 1-116, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-116. (1) Prior to January 1, 1998, a person A candidate shall be eligible to take the examination without waiting until he or she meets the experience requirements as long as he or she also meets the requirements of subdivision (1)(a) of section 1-114.

(2) Any person making initial application on or after January 1, 1998, to take the examination shall have completed at least one hundred fifty semester hours or two hundred twenty-five quarter hours of postsecondary academic credit and shall have earned a baccalaureate or higher degree from a college or university accredited by the North Central Association of Colleges and Universities or a similar agency as determined to be acceptable by the board. The person shall demonstrate that accounting, auditing, business, and other subjects at the appropriate academic level as required by the board are included within the required hours of postsecondary academic credit. The board shall

not prescribe the specific curricula of colleges or universities.

Sec. 6. That section 1-117, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-117. A candidate for the certificate of certified public accountant Any person who has successfully completed the examination described in provided in subdivision (3) of section 1-114 shall have no status as a certified public accountant unless and until he or she has the requisite experience and also has received a certificate as a certified public accountant.

Sec. 7. That section 1-118, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-118. The board may by regulation prescribe the terms and conditions under which a candidate person who passes the examination in one or more of the subjects indicated in subdivision (3) of section 1-114 may be reexamined in only the remaining subjects, with credit for the subjects previously passed. ~~It~~ The board may also provide by regulation for a reasonable waiting period for a candidate's reexamination. Any person who is eligible to take the examination under subsection (1) of section 1-116 and passes the examination in one or more of the subjects may be reexamined in the remaining subjects after January 1, 1998, without meeting the requirements of subsection (2) of section 1-116 subject to the regulations of the board. A person in a subject he or she has failed. Subject to the foregoing and such other regulations as the board may adopt governing reexaminations, a candidate shall be entitled to any number of reexaminations under the provisions of subdivision (3) of section 1-114 subject to the regulations of the board.

Sec. 8. That section 1-119, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-119. The board shall charge each candidate a fee, to be determined by the board, not in excess of two hundred dollars for the initial examination provided for in subdivision (3) of section 1-114.

Sec. 9. That section 1-120, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-120. Fees for reexaminations under the provisions of subdivision (3) of section 1-114 shall also be charged by the board in amounts determined by

it, but not in excess of fifty dollars for each subject in which ~~the candidate~~ a person is reexamined.

Sec. 10. That section 1-121, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-121. The applicable fee shall be paid by the ~~candidate~~ applicant at the time he or she applies for examination or reexamination.

Sec. 11. That section 1-124, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-124. The board may, in its discretion, waive the examination under ~~the provisions of subdivision (3) of section 1-114~~ and may issue a certificate as a certified public accountant to any person who possesses the qualifications specified in subdivision (1)(a) or (2)(a) of section 1-114 and ~~what the board determines to be substantially the equivalent of the applicable qualifications under section sections 1-116 and 1-136.02~~ and who is the holder of a certificate as a certified public accountant, then in full force and effect, issued under the laws of any state or is the holder of a certificate, license, or degree in a foreign country constituting a recognized qualification for the practice of public accounting in such country, comparable to that of a certified public accountant of this state, which is then in full force and effect. The board shall charge each person obtaining a certificate under this section a fee to be determined by the board, but such fee shall not be in excess of two hundred dollars.

Sec. 12. That section 1-127, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-127. In the event an applicant for a certificate as a certified public accountant meets all of the requirements for such a certificate, other than the requirements of subdivision (1)(a) or (2)(a) of section 1-114, the board may, in its discretion, issue ~~to him~~ a temporary certificate as a certified public accountant to the applicant. Such certificate shall be effective only until the board ~~shall notify him~~ notifies the applicant that ~~his~~ the application has been either granted or rejected. In no event shall such temporary certificate be in effect for more than six months after the date of its issuance. No fee shall be charged for such permit.

Sec. 13. That section 1-136.04, Reissue Revised Statutes of Nebraska, 1943, be amended to read

as follows:

1-136.04. Any person who has taken the examination required by ~~subdivision (3) of~~ section 1-114 prior to January 1, 1978, may qualify for permit issuance by (1) having four years of public accounting experience satisfactory to the board in any state in practice as a certified public accountant or as a public accountant or in any state in employment as a staff accountant by anyone practicing public accounting, or any combination of either of such types of experience, or (2) having five years of auditing experience satisfactory to the board in the office of the Auditor of Public Accounts or in the Department of Revenue, in lieu of being a graduate from a college or university of recognized standing.

Sec. 14. That section 1-169, Reissue Revised Statutes of Nebraska, 1943, be amended to read as follows:

1-169. Sections 1-106 to 1-169 may 1-105.01 to 1-171 and section 2 of this act shall be known and may be cited as the Public Accountancy Act of 1957.

Sec. 15. Wherever the phrase sections 1-106 to 1-169 appears in sections 1-108, 1-109, 1-111, 1-123, 1-135, 1-137, 1-140, 1-144, 1-161 to 1-164, and 1-167, the Revisor of Statutes shall substitute the phrase the Public Accountancy Act of 1957 or, if appropriate, the phrase the act.

Sec. 16. That original sections 1-106, 1-114 to 1-121, 1-124, 1-127, 1-136.04, and 1-169, Reissue Revised Statutes of Nebraska, 1943, are repealed.