

No. 231

AN ACT

To amend the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (Pamphlet Laws 318), entitled "An act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants, and for the suspension and revocation of such certificates, subject to appeal and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties, and repealing existing laws," by further prescribing the powers of the board; prescribing certain educational requirements; further providing for the issuance of reciprocal certificates; and further defining certain unlawful acts.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows: "The C. P. A. Law."

Section 1. Sections 3, 4 and clause (6) of section 5 of the act, approved the twenty-sixth day of May, one thousand nine hundred forty-seven (Pamphlet Laws 318), entitled "An act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice and the listing of persons engaged in practicing as certified public accountants, and for the suspension and revocation of such certificates, subject to appeal and for their reinstatement; prescribing the powers and duties of the State Board of Examiners of Public Accountants and the Department of Public Instruction; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties, and repealing existing laws," are hereby amended to read as follows:

Sections 3, 4 and clause (6) of section 5, act of May 26, 1947, P. L. 318, amended.

Section 3. General Powers of the Board.—The Board shall have the power:

(1) To provide for and to regulate the issuance of certificates [to certified public accountants] and to issue, upon passing the examination required by the board [, except as otherwise provided herein] *and meeting the educational and experience requirements provided herein*, a certificate of certified public accountant to any person of good character and repute if such person resides *or is engaged in public accounting* in this Commonwealth, is a citizen of the United States, is at least twenty-one • years of age, *and* speaks and writes the English language [and meets any of the experience requirements hereinafter specified].

(2) To prescribe the subject, manner, time and place of examination for the certificate of certified public

* "(21)" deleted from original.

accountant; to collect fees for such examination and to issue certificates to such persons as pass examinations: Provided, That an examination shall be held at least once in each calendar year, and simultaneously in at least two counties of the Commonwealth, and shall be a written examination in commercial law as affecting public accounting, and in general accounting, including theory of accounts, accounting practice, auditing and taxation. The board may use the examination service of the American Institute of Accountants.

(3) To keep a roster showing the names and the places of business of persons to whom the certificate of certified public accountant has been issued under this act and under prior laws. The department shall publish such roster biennially in booklet form and shall mail copies thereof to each certified public accountant listed and shall furnish the same to other persons upon request.

(4) To suspend for a fixed term or revoke the certificate of any certified public accountant who is found guilty by the board, by a unanimous vote of all its members, of the practice of any fraud, deceit or wilful misrepresentation in obtaining his certificate, or of wilful gross neglect, fraud, deceit or wilful misrepresentation in practice as a certified public accountant, or who has under any state or Federal law pleaded guilty, entered a plea of nolo contendere, or has been found guilty by a judge or jury of a felony, and to reinstate certificates in all cases where a majority vote of the board shall determine the same to be just and proper.

(5) To submit biennially to the department an estimate of the financial requirements of the board for its administrative, investigative, legal and miscellaneous expenses.

(6) To arrange for assistance in the performance of its duties, and to administer and enforce the laws of the Commonwealth relating to practice by certified public accountants, and to instruct and require its agents to seek an injunction, or bring a prosecution for a violation of this act.

(7) To keep minutes and records of all its transactions and proceedings. Copies thereof duly certified by the Secretary of the board shall be received as evidence in all courts and elsewhere.

(8) To become a member of the Association of Certified Public Accountant Examiners, or a similar organization, and to pay such dues as said association shall establish and to send delegates to the annual meeting of the association and to defray their expenses.

(9) To adopt, promulgate and enforce such administrative rules and regulations not inconsistent with this

act, or other acts, as are necessary and proper to carry into effect the provisions of this act.

(10) To revoke or suspend, by unanimous vote of the board, the certificates of certified public accountants, or to censure or reprimand the holder of such certificate when the holder has been found guilty of unprofessional conduct, as defined in the rules established by the board, such rules to represent the concensus of the certified public accounting profession in Pennsylvania in respect to such conduct.

Section 4. *Education and Experience Requirements.*

—[A certificate of certified public accountant shall not be issued to any person until the board shall be satisfied that he has complied with one of the following experience requirements by serving:

(1) At least two years in the office of a certified public accountant or an accountant in public practice, or (2) at least two years in public practice as an accountant, or as a member of a firm of accountants so engaged.

The board may in its discretion issue a certificate to any honorably discharged veteran who shall have served in the armed forces of the United States during any period of World War II, prior to the termination of hostilities as declared by the President of the United States, without regard to his compliance with either of the experience requirements prescribed herein.

Nothing contained in this section shall be construed to prevent any person from taking an examination before he has complied with either of the experience requirements prescribed herein.]

Before any person is permitted to take the examination or is issued a certificate of certified public accountant, the board shall be satisfied that he has complied with the following requirements:

(1) *Completed a four-year high school course or its equivalent and has had at least three (3) years of public accounting experience of a caliber satisfactory to the board; or*

(2) *Is a graduate of a college or university, approved by the State Council of Education, giving a four-year course, and has had at least two (2) years of public accounting experience of a caliber satisfactory to the board.*

The foregoing provisions shall not apply in the following cases:

(1) *A person who has previously taken the examination under prior provisions of this act shall continue to be permitted to take the examination and receive his certificate, subject to such prior provisions.*

(2) *The board may, in its discretion, issue its certificate to any honorably discharged veteran who served in the armed forces of the United States, without regard*

to his compliance with either of the experience requirements prescribed herein.

Section 5. Reciprocal Certificates.—Without written examination, upon application to and upon the recommendation of the board, but subject to the payment of a fee to be fixed by the department, which fee is to accompany the application, the board shall issue a certificate of certified public accountant to a holder of a certificate of certified public accountant issued as *the result of a written examination by any other state or political subdivision of the United States: Provided, That the applicant shall submit evidence satisfactory to the board that:

* * * * *

(6) His [accounting] *education and experience* [is] *are* substantially equivalent to the requirements of this act for issuance of a certificate as a certified public accountant in this Commonwealth.

Section 12, said act, amended by adding, at end thereof, a new subsection (g).

Section 2. Section 12 of said act is hereby amended by adding, at the end thereof, a new subsection to read as follows:

Section 12. Unlawful Acts.—

* * * * *

(g) *Except as prescribed in subsection (a) in respect of certified public accountants, it is unlawful for any person to use a title, including the word "certified" as a part thereof, for the practice of any type of bookkeeping, accounting, auditing, tax or other professional practice related thereto, or to use any abbreviation of the word "certified" or its initial letter in such a manner.*

Act effective January 1, 1954.

Section 3. The provisions of this act shall become effective on the first day of January, one thousand nine hundred fifty-four.

APPROVED—The 29th day of July, A. D. 1953.

JOHN S. FINE

No. 232

AN ACT

To fix the number of Representatives in the General Assembly of the State; and to apportion the State into representative districts, as provided by the Constitution.

Reapportionment.

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

House of Representatives to consist of 210 members.

Section 1. That until the next decennial United States census and the apportionment be made thereon by law, the House of Representatives shall consist of two

* "a" in original.