

THE HOUSE OF REPRESENTATIVES
Monday, March 1, 2010

Committee Substitute for
House Bill No. 3190

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3190 - By: SANDERS AND HICKMAN of the House and ANDERSON of the Senate.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 15.2, as amended by Section 86, Chapter 1, O.S.L. 2005 (59 O.S. Supp. 2009, Section 15.2), which relates to the Oklahoma Accountancy Act; re-creating the Oklahoma Accountancy Board; modifying the membership, qualifications, and terms of the Board; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 59 O.S. 2001, Section 15.2, as amended by
2 Section 86, Chapter 1, O.S.L. 2005 (59 O.S. Supp. 2009, Section 15.2), is amended to read
3 as follows:

4 Section 15.2 A. There is hereby re-created, to continue until July 1, ~~2010~~ 2014, in
5 accordance with the provisions of the Oklahoma Sunset Law, the Oklahoma Accountancy
6 Board. The Oklahoma Accountancy Board shall have the responsibility for
7 administering and enforcing the Oklahoma Accountancy Act.

8 1. The Oklahoma Accountancy Board shall be composed of seven (7) members, who
9 shall have professional or practical experience in the use of accounting services and
10 financial matters, so as to be qualified to make judgments about the qualifications and

1 conduct of persons and firms subject to regulation ~~under this act~~ pursuant to the
2 provisions of the Oklahoma Accountancy Act, to be appointed by the Governor and
3 confirmed by the Senate.

4 ~~2. The number of registrant~~ Five members shall ~~not be more than six, not including~~
5 ~~a firm,~~ be certified public accountants holding certificates who shall serve terms of five
6 (5) years.

7 3. One member shall be either a public accountant or person with professional or
8 practical experience in the use of accounting services and financial matters who shall
9 serve a term of five (5) years.

10 4. One member shall be a public member who shall serve conterminously with the
11 Governor appointing that member.

12 5. No member who has served two successive complete terms shall be eligible for
13 reappointment, but an appointment to fill an unexpired term shall not be considered a
14 complete term for this purpose. ~~The public member shall serve coterminously with the~~
15 ~~Governor appointing the public member.~~

16 B. ~~One~~ The member shall be who is either a public accountant licensed and holding
17 a permit pursuant to the provisions of the Oklahoma Accountancy Act, an “enrolled
18 agent” as defined by the Internal Revenue Service, or other individual with professional
19 or practical experience in providing accounting services or tax services, so as to be
20 qualified to make judgments about the qualifications and conduct of persons and firms
21 subject to regulation. A list of qualified persons shall be compiled and submitted to the
22 Governor by the Oklahoma Society of Public Accountants, or successor organization from

1 time to time as appointment of ~~the public accountant~~ this Board member is required to
2 be made. A list of three names shall be submitted for each single appointment from
3 which the Governor may make the appointment.

4 C. ~~Five~~ Of the five members ~~shall~~ who are required to be certified public
5 accountants holding certificates and four shall hold permits issued pursuant to the
6 provisions of the Oklahoma Accountancy Act, ~~at least four of whom.~~ Four of the five
7 certified public accountant members shall have been engaged in the practice of public
8 accounting as a certified public accountant continuously for not less than five (5) out of
9 the last fifteen (15) years immediately preceding their appointments. A list of qualified
10 persons shall be compiled and submitted to the Governor by the Oklahoma Society of
11 Certified Public Accountants or successor organization from time to time as
12 appointments of the certified public accountant Board members are required. A list of
13 three names shall be submitted for each single appointment from which the Governor
14 may make the appointment.

15 D. One member shall be a public member who is not a certified public accountant
16 or licensed public accountant. The public member shall be appointed by the Governor to
17 a term coterminous with the Governor. The public member shall serve at the pleasure of
18 the Governor.

19 E. Upon the expiration of the term of office, a member shall continue to serve until
20 a qualified successor has been appointed. Confirmation by the Senate is required during
21 the next regular session of the Oklahoma Senate for the member to continue to serve.

22 SECTION 2. This act shall become effective July 1, 2010.

1 SECTION 3. It being immediately necessary for the preservation of the public
2 peace, health and safety, an emergency is hereby declared to exist, by reason whereof
3 this act shall take effect and be in full force from and after its passage and approval.
4 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND
5 FINANCIAL SERVICES, dated 02-25-10 - DO PASS, As Amended and Coauthored.