

STATE OF NEW YORK

7613--A

2025-2026 Regular Sessions

IN ASSEMBLY

April 1, 2025

Introduced by M. of A. PEOPLES-STOKES, HYNDMAN, BUTTENSCHON, LUPARDO, WIEDER, CLARK, REYES, GRIFFIN, BURDICK -- read once and referred to the Committee on Higher Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to clarifying the requirements for a certified public accountant

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraphs 2, 3 and 4 of subdivision 1 of section 7404 of
2 the education law, as amended by chapter 651 of the laws of 2008, are
3 amended to read as follows:

4 (2) Education: [~~have received an education, including a bachelor's or~~
5 ~~higher degree or a foreign equivalent based on~~] present satisfactory
6 evidence of completion of one of the following:

7 a. A curriculum of at least one hundred twenty semester hours in a
8 program in accountancy[~~, in accordance with the commissioner's~~] that is
9 registered by the department, or that is accredited by an acceptable
10 accrediting agency, or that is deemed to be comparable to a registered
11 or accredited program, as determined by the department; provided that
12 for each of the programs described above, the applicant shall satisfy
13 the undergraduate curriculum semester hour requirements for the speci-
14 fied subjects set forth in the department's regulations as of the effec-
15 tive date of the chapter of the laws of two thousand twenty-five that
16 amended this paragraph; or

17 b. A curriculum of at least one hundred fifty semester hours in a
18 program described in subparagraph a of this paragraph.

19 (3) Experience: [~~have~~]

20 a. Present satisfactory evidence of completion of the following expe-
21 rience [~~satisfactory to the board of regents and in accordance with the~~
22 ~~commissioner's regulations;~~] requirement:

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 (i) two years of acceptable full-time experience, or the equivalent
2 thereof, for an applicant who is applying for licensure on the basis of
3 the education described in subparagraph a of paragraph two of this
4 subdivision; or

5 (ii) one year of acceptable full-time experience, or the equivalent
6 thereof, for an applicant who is applying for licensure on the basis of
7 the education described in subparagraph b of paragraph two of this
8 subdivision.

9 b. For the purposes of this subdivision, one year of full-time experi-
10 ence shall mean an aggregate total of twelve calendar months of full-
11 time employment. Full-time shall be defined as a five-day work week,
12 with at least thirty-five hours of experience per week, excluding over-
13 time. The department may also credit an applicant for part-time experi-
14 ence in the amount of one week of experience for every two weeks of
15 acceptable part-time experience earned. Part-time shall be defined as at
16 least twenty hours of experience per week.

17 c. Acceptable experience shall be attested to by a certified public
18 accountant licensed in New York or in another political subdivision of
19 the United States, provided that such certified public accountant acted
20 in a supervisory capacity to the applicant in the employing organiza-
21 tion.

22 d. Acceptable experience in the practice of public accountancy shall
23 be limited to experience in providing accounting services or advice
24 involving the use of accounting, attestation, compilation, management
25 advisory, financial advisory, tax or consulting skills under the super-
26 vision of a certified public accountant licensed in the United States or
27 a public accountant licensed in New York.

28 e. Acceptable experience in the practice of public accountancy shall
29 be earned through employment as an employee in public practice in a
30 public accounting firm, government, private industry or an educational
31 institution.

32 (4) Examination: pass a written examination satisfactory to the board
33 and in accordance with the commissioner's regulations, provided that the
34 required educational attainment for such examination shall not be great-
35 er than that set out in subparagraph a of paragraph two of this subdivi-
36 sion, and the requirement with respect to such examination may not be
37 waived;

38 § 2. Subdivision 2 of section 7406 of the education law, as amended by
39 chapter 456 of the laws of 2011, is amended to read as follows:

40 2. Practice privilege. a. Except as otherwise provided in subparagraph
41 two or three of paragraph f of this subdivision, a certified public
42 accountant, licensed by another state [~~which the board of regents has~~
43 ~~determined to have substantially equivalent certified public accountant~~
44 ~~licensure requirements, or whose individual licensure qualifications are~~
45 ~~verified by the department to be substantially equivalent to New York's~~
46 ~~requirements, and in good standing~~], who intends to perform any of the
47 services in subdivision one, two or three of section seventy-four
48 hundred one of this article may practice public accountancy in this
49 state, if the certified public accountant:

50 (1) holds a valid license to practice public accountancy in the other
51 state, [~~and~~]

52 (2) practices public accountancy in another state that is [~~his or her~~]
53 such certified public accountant's principal place of business,

54 (3) has completed a baccalaureate or higher degree program in accoun-
55 tancy that is registered by the department, or a baccalaureate or higher
56 degree program in accountancy that is accredited by an acceptable

1 accrediting agency, or a baccalaureate or higher degree program, or its
2 foreign equivalent, that is deemed to be comparable to a registered or
3 accredited program, as determined by the department,

4 (4) has passed the written examination described in paragraph four of
5 subdivision one of section seventy-four hundred four of this article,
6 and

7 (5) has attained one year of experience as provided in clause (ii) of
8 subparagraph a of paragraph three of subdivision one of section seven-
9 ty-four hundred four of this article.

10 b. The practice privilege allows such certified public accountant, who
11 meets the requirements of paragraph a of this subdivision to practice
12 public accountancy in this state.

13 c. An individual who has been granted practice privileges under this
14 section who performs any of the services in subdivision one or two of
15 section seventy-four hundred one of this article may only do so through
16 a firm which has obtained a registration under section seventy-four
17 hundred eight of this article. Such an individual, as well as an indi-
18 vidual with a New York license who does not have a principal place of
19 business in New York, may provide services in subdivision three of
20 section seventy-four hundred one of this article through a firm of
21 certified public accountants that does not have a registration in this
22 state but that holds a valid license, registration, or permit in another
23 state.

24 d. Any certified public accountant who practices in this state pursu-
25 ant to this section, and any firm that employs such certified public
26 accountant to provide such services in New York, consents to all of the
27 following as a condition of the exercise of such practice privilege:

28 (1) to the personal and subject matter jurisdiction and disciplinary
29 authority of the board of regents as if the practice privilege is a
30 license, and an individual with a practice privilege is a licensee;

31 (2) to comply with this article, the rules of the board of regents and
32 the regulations of the commissioner; and

33 (3) to the appointment of the secretary of state or other public offi-
34 cial acceptable to the department, in the certified public accountant's
35 state of licensure or the state in which the firm has its principal
36 place of business, as the certified public accountant or firm's agent
37 upon whom process may be served in any action or proceeding by the
38 department against such certified public accountant or firm.

39 ~~e. [For purposes of this subdivision, the board of regents may deter-~~
40 ~~mine that nationally-recognized certified public accountant licensure~~
41 ~~requirements are substantially equivalent to New York's requirements,~~
42 ~~such that an individual licensed in a state determined to have licensure~~
43 ~~requirements substantially equivalent to the nationally-recognized CPA~~
44 ~~licensure requirements, or an individual whose licensure qualifications~~
45 ~~are determined to be substantially equivalent to the nationally-recog-~~
46 ~~nized CPA licensure requirements, may practice under the practice privi-~~
47 ~~lege pursuant to the requirements contained in this subdivision.~~

48 ~~f.]~~ (1) A person who wishes to practice public accountancy in this
49 state but does not meet the requirements of paragraph a of this subdivi-
50 sion is subject to the full licensing and registration requirements of
51 this article.

52 (2) In the event the license from the other state of the certified
53 public accountant's principal place of business is no longer valid or in
54 good standing, or that the certified public accountant has had any final
55 disciplinary action taken by the licensing or disciplinary authority of
56 any other state concerning the practice of public accountancy that has

1 resulted in (i) the suspension or revocation of [~~his or her~~] such certi-
2 fied public accountant's license, or (ii) other disciplinary action
3 against [~~his or her~~] such certified public accountant's license that
4 arises from (a) gross negligence, recklessness or intentional wrongdoing
5 relating to the practice of public accountancy, (b) fraud or misappro-
6 priation of funds relating to the practice of public accountancy, or (c)
7 preparation, publication, or dissemination of false, fraudulent, or
8 materially incomplete or misleading financial statements, reports or
9 information relating to the practice of public accountancy, the certi-
10 fied public accountant shall cease offering to perform or performing
11 such services in this state individually and on behalf of [~~his or her~~]
12 such certified public accountant's firm, until and unless such certified
13 public accountant receives written permission from the department to
14 resume the practice of public accountancy in this state pursuant to
15 subparagraph three of this paragraph.

16 (3) Any certified public accountant who, within the last seven years,
17 immediately preceding the date on which [~~he or she~~] such certified
18 public accountant wishes to practice in New York, (i) has been the
19 subject of any final disciplinary action taken against [~~him or her~~] such
20 certified public accountant by the licensing or disciplinary authority
21 of any other jurisdiction with respect to any professional license or
22 has any charges of professional misconduct pending against [~~him or her~~]
23 such certified public accountant in any other jurisdiction, or (ii) has
24 had [~~his or her~~] such certified public accountant license in another
25 jurisdiction reinstated after a suspension or revocation of said
26 license, or (iii) has been denied issuance or renewal of a professional
27 license or certificate in any other jurisdiction for any reason other
28 than an inadvertent administrative error, or (iv) has been convicted of
29 a crime or is subject to pending criminal charges in any jurisdiction,
30 shall so notify the department, on a form prescribed by the department,
31 and shall not practice public accountancy in this state under paragraph
32 a of this subdivision until [~~he or she~~] such certified public accountant
33 has received from the department written permission to do so. In deter-
34 mining whether the certified public accountant shall be allowed to prac-
35 tice in this state, the department shall follow the procedure to deter-
36 mine whether an applicant for licensure is of good moral character.
37 Anyone failing to provide the notice required by this paragraph shall be
38 subject to the personal and subject matter jurisdiction and disciplinary
39 authority of the board of regents as if the practice privilege is a
40 license, and an individual with a practice privilege is a licensee, and
41 may be deemed to be practicing in violation of section sixty-five
42 hundred twelve of this title.

43 [~~g-~~] f. (1) Notwithstanding subparagraph two of paragraph a of this
44 subdivision or any other inconsistent law or rule to the contrary, a
45 certified public accountant licensed by another state and in good stand-
46 ing who otherwise meets the practice privilege requirements under this
47 section and files an application for licensure under section seventy-
48 four hundred four of this article may continue to practice under such
49 privilege for a period coterminous with the period during which [~~his or~~
50 ~~her~~] such certified public accountant's application for licensure
51 remains pending with the department, including any period after the
52 certified public accountant establishes a principal place of business in
53 New York while [~~his or her~~] such certified public accountant's applica-
54 tion is pending.

55 (2) Nothing in this section shall limit the applicability of section
56 seventy-four hundred seven of this article.

1 § 3. This act shall take effect twelve months after it shall have
2 become a law.