

# STATE OF NEW YORK

6891--A

Cal. No. 906

2025-2026 Regular Sessions

## IN SENATE

March 26, 2025

Introduced by Sens. STAVISKY, FAHY, FERNANDEZ, GALLIVAN, HOYLMAN-SIGAL, JACKSON, LANZA, LIU -- read twice and ordered printed, and when printed to be committed to the Committee on Higher Education -- reported favorably from said committee, ordered to first and second report, ordered to a third reading, amended and ordered reprinted, retaining its place in the order of third reading

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~~]

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

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1 a. Present satisfactory evidence of completion of the following expe-  
2 rience [~~satisfactory to the board of regents and in accordance with the~~  
3 ~~commissioner's regulations,~~] requirement:

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

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

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

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

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

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

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

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

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

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

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

1 (3) has completed a baccalaureate or higher degree program in accoun-  
2 tancy that is registered by the department, or a baccalaureate or higher  
3 degree program in accountancy that is accredited by an acceptable  
4 accrediting agency, or a baccalaureate or higher degree program, or its  
5 foreign equivalent, that is deemed to be comparable to a registered or  
6 accredited program, as determined by the department,

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

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

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

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

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

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

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

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

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

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

55 (2) In the event the license from the other state of the certified  
56 public accountant's principal place of business is no longer valid or in

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

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

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

1 New York while [~~his or her~~] such certified public accountant's applica-  
2 tion is pending.  
3 (2) Nothing in this section shall limit the applicability of section  
4 seventy-four hundred seven of this article.  
5 § 3. This act shall take effect twelve months after it shall have  
6 become a law.