

**DRAFT ONLY  
NOT APPROVED FOR  
INTRODUCTION**

HOUSE BILL NO. \_\_\_\_\_

Certified public accountants-revisions.

Sponsored by: Joint Corporations, Elections and Political  
Subdivisions Interim Committee

A BILL

for

1 AN ACT relating to certified public accountants; providing  
2 definitions; providing for fees; providing for educational,  
3 examination and experience requirements as specified;  
4 providing for practice privileges for accountants licensed  
5 in other states as specified; providing for permitting of  
6 accounting firms as specified; and providing for an  
7 effective date.

8

9 *Be It Enacted by the Legislature of the State of Wyoming:*

10

11 **Section 1.** W.S. 33-3-102(a)(vi), by creating new  
12 paragraphs (x) through (xiv) and by renumbering paragraph  
13 (x) as (xv), 33-3-108(a)(v), 33-3-109(a)(v), (d), (f)

1 through (h), by creating a new subsection (k), by  
2 creating new subsections (l) through (o), 33-3-115,  
3 33-3-116, 33-3-118(b), (d), 33-3-119, 33-3-120, 33-3-121,  
4 33-3-124, 33-3-125, 33-3-127 and 33-3-201(a) are amended to  
5 read:

6

7 **33-3-102. Definitions.**

8

9 (a) As used in this act:

10

11 (vi) "Attest service" means providing the  
12 following financial statement services:

13

14 (A) Any audit or other engagement performed  
15 in accordance with the statements on auditing standards, ~~or~~  
16 generally accepted government auditing standards;

17

18 (B) Any review of a financial statement to  
19 be performed in accordance with the statements on standards  
20 for accounting and review services; ~~or~~

21

1                    (C) Any examination of prospective  
2 financial information to be performed in accordance with  
3 the statement on standards for attestation engagements; or

4  
5                    (D) Any engagement to be performed in  
6 accordance with the auditing standards of the public  
7 accountancy oversight board. The statements on standards  
8 specified in ~~this~~the definition of attest service in this  
9 paragraph shall be adopted by reference by the board  
10 pursuant to the Wyoming Administrative Procedure Act and  
11 shall be those developed for general application by  
12 recognized national accountancy organizations such as the  
13 American Institute of Certified Public Accountants and the  
14 public company accounting oversight board;

15  
16                    \*\*\* Staff note: Are the "public accountancy  
17 oversight board" and the "public company accounting  
18 oversight board" different entities? \*\*\*  
19

20                    (x) "Home office" means the location specified  
21 by the client as the address to which a service described  
22 in W.S. 33-3-116(a)(iv) is directed;

23  
24                    (xi) "License" means an active certified public  
25 accountant certificate or any other document issued by any

1 other state based on completing the education, examination  
2 and experience requirements;

3

4 **\*\*\* Staff note: Requirements of the other state**  
5 **or our state? Should this include a certificate issued by**  
6 **our board too? \*\*\***

7

8 (xii) "NASBA" means the national association of  
9 state boards of accountancy;

10

11 (xiii) "Principal place of business" means the  
12 office location designated by the licensee for purposes of  
13 substantial equivalency and reciprocity;

14

15 (xiv) "Substantial equivalency" is a  
16 determination by the board or its designee that the  
17 education, examination and experience requirements  
18 contained in the statutes and administrative rules of  
19 another jurisdiction are comparable to or exceed the  
20 education, examination and experience requirements of W.S.  
21 33-3-116(c)(i) or that an individual certified public  
22 accountant's education, examination and experience are  
23 comparable to or exceed the education, examination and  
24 experience requirements of W.S. 33-3-116(c)(i). In  
25 ascertaining substantial equivalency the board shall take

1 into account the qualifications without regard to the  
2 sequence in which experience, education or examination  
3 requirements were attained;

4  
5 ~~(x)~~ (xv) "This act" means W.S. 33-3-101 through  
6 33-3-201.

7  
8 **33-3-108. Rules and regulations; procedure.**

9  
10 (a) The board shall prescribe rules and regulations  
11 not inconsistent with the provisions of this act as it  
12 deems consistent with, or required by, the public welfare.  
13 The rules and regulations shall include:

14  
15 (v) Rules governing the determination of  
16 substantial equivalence for practice privileges or the  
17 issuance of certificates; ~~under W.S. 33-3-116 to~~  
18 ~~individuals who hold valid certified public accountant~~  
19 ~~certificates, licenses or foreign credentials when the~~  
20 ~~issuing state's or foreign country's certificate, licensure~~  
21 ~~or credentialing requirements are substantially equivalent~~  
22 ~~to those under this act as determined by the board;~~

23

1           **33-3-109. Certified            public            accountant;**  
2 **qualifications.**

3  
4           (a) An active certificate of "certified public  
5 accountant" shall be granted by the board to any person:

6  
7                   (v) Who, prior to January 1, 2012, meets the  
8 requirements of subparagraphs (A) and (B) or subparagraphs  
9 (C) and (D) of this paragraph or, on or after January 1,  
10 2012, meets the requirements of subparagraphs (C) and (D)  
11 of this paragraph:

12  
13                   (A) Earned a baccalaureate degree conferred  
14 by a college or university recognized by the board, with a  
15 total education program to include an accounting  
16 concentration or equivalent as determined to be appropriate  
17 by the rules and regulations of the board, or what the  
18 board determines to be substantially the equivalent of the  
19 foregoing;

20  
21                   (B) Completed at least four (4) years of  
22 full-time experience in the practice of public accounting.  
23 The experience shall include providing any type of service

1 or advice involving the use of accounting skills, any  
2 auditing, review or compilation service, any management  
3 advisory or financial advisory service, or any tax or  
4 consulting service. Experience shall be verified by an  
5 active certified public accountant or the equivalent as  
6 determined by the board, or by providing representative  
7 samples of work as determined by the board. The experience  
8 shall be acceptable if it is gained through employment in  
9 government, industry, academia or public accounting;

10

11 (C) Completed at least one hundred fifty  
12 (150) semester hours of college education including a  
13 baccalaureate or higher degree conferred by a college or  
14 university acceptable to the board, the total educational  
15 program to include an accounting concentration or  
16 equivalent as determined to be appropriate by the rules and  
17 regulations of the board;

18

19 (D) Completed at least one (1) year of  
20 full-time experience in the practice of public accounting.  
21 The experience shall include providing any type of service  
22 or advice involving the use of accounting skills, any  
23 auditing, review, or compilation service, any management

1 advisory or financial advisory service, or any tax or  
2 consulting service. Experience shall be verified by an  
3 active certified public accountant or the equivalent as  
4 determined by the board, or by providing representative  
5 samples of work as determined by the board. The experience  
6 shall be acceptable if it is gained through employment in  
7 government, industry, academia or public accounting.

8  
9 **\*\*\* Staff note: subparagraphs (A) through**  
10 **(D) are not amended but I have left them in the bill for**  
11 **now for the committee's understanding. \*\*\***

12  
13 (d) There shall be an annual certificate fee ~~not~~  
14 ~~exceeding three hundred dollars (\$300.00)~~ to be ~~determined~~  
15 ~~established~~ by ~~the~~ board rules in accordance with W.S. 33-  
16 1-201. All certificates shall expire on the last day of  
17 December of each year and may be renewed annually for a  
18 period of one (1) year by certificate holders and  
19 registrants who meet the requirements specified in  
20 subsection ~~(a)~~ (e) of this section and upon payment of the  
21 annual fee. If the annual certificate fee is not paid by  
22 the first day of November, a late renewal fee as set by ~~the~~  
23 board ~~not to exceed one hundred fifty dollars (\$150.00)~~  
24 ~~shall~~ rule in accordance with W.S. 33-1-201 may be added to  
25 the renewal fee.

26



1           (f) Persons holding a certificate issued under W.S.  
2 33-3-109 or 33-3-116 but who do not practice public  
3 accounting in Wyoming and have not lost the right to active  
4 status shall place the certificate on an inactive status.  
5 A person classified as inactive shall pay an annual  
6 inactive fee not exceeding one-half (1/2) the annual fee  
7 charged to active certificate holders. If the fee is not  
8 paid by December 31, a late fee as set by ~~the board~~ rule,  
9 ~~not in excess of seventy five dollars (\$75.00), shall~~ may  
10 be added to the annual fee. A person classified as  
11 inactive may assume or use the title or designation  
12 "certified public accountant" or the abbreviation "CPA" and  
13 shall use the words "inactive" adjacent to the designation  
14 "CPA" or "certified public accountant".

15

16           (g) The board by regulation may allow persons to  
17 retire the certificate. A person classified as retired  
18 shall pay a ~~one time fee of fifty dollars (\$50.00)~~ to be  
19 established by board rule in accordance with W.S. 33-1-201.

20 A person classified as retired may assume or use the title  
21 or designation "certified public accountant" or the  
22 abbreviation "CPA" and shall use the words "retired"

1 adjacent to the designation "CPA" or "certified public  
2 accountant".

3

4 (h) Any individual certificate holder or individual  
5 with practice privileges who is responsible for supervising  
6 attestation services or compilation services or who signs  
7 or authorizes someone to sign the accountant's report on  
8 the financial statements shall meet the experience or  
9 competency requirements set forth in the professional  
10 standards for such services.

11

12 (k) The board shall issue a certificate to a holder  
13 of a substantially equivalent foreign designation provided  
14 that:

15

16 (i) The foreign authority which granted the  
17 designation makes similar provision to allow a person who  
18 holds a valid certificate issued by this state to obtain  
19 such foreign authority's comparable designation; and

20

21 (ii) The foreign designation:

22

1                   (A) Was issued by a foreign authority that  
2 regulates the practice of public accountancy and the  
3 foreign designation has not expired or been revoked or  
4 suspended;

5  
6                   (B) Entitles the holder to issue reports  
7 upon financial statements; and

8  
9                   (C) Was issued upon the basis of  
10 educational, examination and expertise requirements  
11 established by the foreign authority or by law; and

12  
13                   (iii) The applicant:

14  
15                   (A) Received the designation based on  
16 educational and examination standards substantially  
17 equivalent to those in effect in this state at the time the  
18 foreign designation was granted;

19  
20                   (B) Completed an experience requirement  
21 substantially equivalent to the requirements of  
22 subparagraph (a)(v)(D) of this section in the jurisdiction  
23 which granted the foreign designation, has completed four

1 (4) years of professional experience in this state or meets  
2 equivalent requirements within the ten (10) years  
3 immediately preceding the application as prescribed by  
4 board rule; and

5  
6 (C) Passed a uniform qualifying examination  
7 in national standards acceptable to the board.

8  
9 (m) An applicant for a certificate under subsection  
10 (k) of this section shall list in the application all  
11 jurisdictions, foreign and domestic, in which the applicant  
12 has applied for or holds a designation to practice public  
13 accountancy. Each each holder of a certificate issued  
14 under subsection (k) of this section shall notify the board  
15 in writing within thirty (30) days after its occurrence of  
16 any issuance, denial, revocation or suspension of a  
17 designation or commencement of a disciplinary or  
18 enforcement action by any jurisdiction.

19  
20 (n) The board has sole authority to interpret the  
21 application of the provisions of subsection (k) and (m) of  
22 this section.

23

1           **\*\*\* Staff note: Subsection (n) is not necessary and**  
2 **suggests that courts do not have authority to interpret**  
3 **law. \*\*\***  
4

5           (o) An active certificate of "certified public  
6 accountant" shall be granted by the board to any person who  
7 makes application and demonstrates eligibility under the  
8 substantial equivalency standard when the person  
9 establishes a principal place of business in this state.  
10 Qualifications may be established through the NASBA  
11 national qualification appraisal service.

12  
13           **\*\*\* Staff note: This is unclear whether the board**  
14 **will work with NASBA or it is trying to pass on the**  
15 **authority to a separate entity, which is not allowed. \*\*\***  
16

17           (p) An active certificate of "certified public  
18 accountant" may be granted by the board to any person who  
19 makes application but does not meet the eligibility under  
20 the substantial equivalency standard upon a showing:

21  
22           (i) The applicant passed the uniform certified  
23 public accountant examination; and

24  
25           (ii) The applicant had four (4) years of  
26 experience of the type set forth in subparagraph (a)(v)(D)  
27 of this section.

1

2           **33-3-115. Certified public accountants; certificates**3 **under prior law.**

4

5 Persons who hold certified public accountant certificates  
6 issued under prior laws of Wyoming are not required to  
7 obtain additional certificates or register under the  
8 provisions of this act, but are subject to all other  
9 provisions of this act. Certificates issued under prior law  
10 shall be considered certificates issued under the  
11 provisions of this act. All certificate holders who  
12 maintained the certificate on inactive status under prior  
13 law may continue to hold the certificate pursuant to the  
14 terms of this act without meeting additional experience  
15 requirements under W.S. 33-3-109(a)(v). All certificate  
16 holders whose principal place of business is in this state  
17 and who provide services in Wyoming as defined in W.S.  
18 33-3-109(c) shall maintain the certificate on active  
19 status. All certificate holders whose principal place of  
20 business is not in this state but who are not eligible for  
21 practice privileges as provided in W.S. 33-3-116 and who  
22 provide service in this state as defined in W.S. 33-3-  
23 109(c) shall maintain the certificate on active status.

1 Certificate holders who are eligible for practice  
2 privileges as provided in W.S. 33-3-116 may elect to  
3 maintain the Wyoming certificate pursuant to W.S. 33-3-  
4 109(d) through (f).

5

6 **33-3-116. Certified public accountant; holders of**  
7 **certificates in sister states.**

8

9 (a) The board may ~~issue a certificate as a certified~~  
10 ~~public accountant to any person who holds a certificate of~~  
11 ~~a certified public accountant or a similar recognized~~  
12 ~~credential, then in full force and effect, issued under the~~  
13 ~~laws of any state or foreign country when that person meets~~  
14 ~~requirements which are substantially equivalent to the~~  
15 ~~requirements set forth in W.S. 33-3-109(a)(ii) through (v).~~  
16 allow practice privileges as follows:

17

18 (i) An individual whose principal place of  
19 business is not in this state and who holds a valid license  
20 as a certified public accountant from any state which the  
21 board or NASBA national qualification appraisal service has  
22 determined to be in substantial equivalence with subsection  
23 (c) of this section shall be presumed to have

1 qualifications substantially equivalent to this state's  
2 requirements and shall have all the privileges of  
3 certificate holders of this state without the need to  
4 obtain a certificate under W.S. 33-3-109. Notwithstanding  
5 any other provision of law, an individual who offers or  
6 renders professional services, whether in person or by  
7 mail, telephone or electronic means, under this subsection  
8 shall be granted practice privileges in this state and no  
9 notice, fee or other submission shall be required by the  
10 individual. Any individual practicing under this  
11 subsection shall be subject to the requirements of  
12 subsection (a)(iii) of this section;

13

14 **\*\*\* Staff note: Same problem with delegating**  
15 **authority. \*\*\***

16

17 (ii) An individual whose principal place of  
18 business is not in this state and who holds a valid license  
19 as a certified public accountant from any state which the  
20 board or the NASBA national qualification appraisal service  
21 has not determined to be in substantial equivalence with  
22 the certified public accountant licensure requirements of  
23 subsection (c) of this section shall be presumed to have  
24 qualifications substantially equivalent to this state's



1 requirements and shall have all the privileges of  
2 certificate holders of this state without the need to  
3 obtain a certificate under W.S. 33-3-109 if the individual  
4 obtains from the board or NASBA national qualification  
5 service verification that the individual's certified public  
6 accountant qualifications are substantially equivalent to  
7 the certified public account licensure requirements of  
8 subsection (c) of this section. Notwithstanding any other  
9 provision of law, an individual who offers or renders  
10 professional services, whether in person or by mail,  
11 telephone or electronic means, under this subsection shall  
12 be granted practice privileges in this state and no notice,  
13 fee or other submission shall be required by the  
14 individual. Any individuals practicing under this  
15 subsection shall be subject to the requirements of  
16 paragraph (a)(iii) of this section.

17

18 (iii) An individual licensee of another state  
19 exercising the privileges afforded under this subsection  
20 and the firm which employs that licensee shall be deemed to  
21 have consented as a condition of the grant of this  
22 privilege:

23

1                   (A) To the personal and subject matter  
2 jurisdiction and disciplinary authority of the board;

3

4                   (B) To comply with this act and any board  
5 rules;

6

7                   (C) That in the event the license from the  
8 state of the individual's principal place of business is no  
9 longer valid, the individual will cease offering or  
10 rendering professional services in this state individually  
11 and on behalf of a firm; and

12

13                   (D) To the appointment of the board which  
14 issued their license as their agent for service of process.

15

16                   (iv) An individual who qualifies for practice  
17 privileges under this subsection shall only do so through a  
18 firm which has obtained a permit issued under W.S. 33-3-118  
19 when performing the following services for any entity with  
20 a home office in this state:

21

1                   (A) Providing any financial statement audit  
2 or other engagement to be performed in accordance with  
3 statements on auditing standards;

4  
5                   (B) Providing any examination of  
6 prospective financial information to be performed in  
7 accordance with statements on standards for attestation  
8 engagements; or

9  
10                   (C) Providing any engagement to be  
11 performed in accordance with public company accounting  
12 oversight board auditing standards.

13  
14           (b) A licensee of this state offering or rendering  
15 services or using his certified public accountant title in  
16 another state shall be subject to disciplinary action in  
17 this state for any act committed in another state for which  
18 the licensee would be subject to discipline.  
19 Notwithstanding W.S. 33-3-123, the board shall investigate  
20 any complaint made by the board of accountancy of another  
21 state.

22

1       (c) An individual shall be deemed to hold a license  
2 from a jurisdiction that is substantially equivalent to  
3 this state's requirements if:

4  
5           (i) The individual holds a valid license as a  
6 certified public accountant from any state that requires as  
7 a condition of licensure that the individual:

8  
9                   (A) Completes at least one hundred fifty  
10 (150) semester hours of college education including a  
11 baccalaureate or higher degree conferred by a college or  
12 university;

13  
14                   (B) Achieves a passing grade on the uniform  
15 certified public accountant examination; and

16  
17                   (C) Possesses at least one (1) year  
18 experience including providing any type of service or  
19 advice involving the use of accounting, attest,  
20 compilation, management advisory, financial advisory, tax  
21 or consulting skills, which may be obtained through  
22 government, industry, academic or public practice verified

1 by a licensee or the equivalent as determined by the board;  
2 or

3  
4 (ii) The individual holds a valid license as a  
5 certified public accountant from any state that does not  
6 meet the requirements of paragraph (i) of this subsection  
7 but the individual has otherwise met the requirements of  
8 paragraph (i) of this subsection or substantially similar  
9 requirements. Any individual who passed the uniform  
10 certified public accountant examination prior to January 1,  
11 2012 may be exempted from the educational requirements in  
12 subparagraph (c)(i)(A) of this subsection for purposes of  
13 this paragraph.

14  
15 (d) Nothing in this section shall be interpreted to  
16 prohibit an individual who qualifies for practice  
17 privileges under this section from applying for a Wyoming  
18 certified public accountant certificate.

19  
20 **33-3-118. Certified public accountant firms.**

21  
22 (b) The board shall grant or renew a permit to a  
23 certified public accounting firm ~~engaged in the practice of~~

1 ~~public accounting if it meets all of the qualifications~~  
2 ~~specified in the following paragraphs~~ demonstrating its  
3 qualifications in accordance with this section:

4  
5 (xiii) Except as otherwise provided in this  
6 section, the following shall be required to hold a permit  
7 issued under this section:

8  
9 (A) Any firm with an office in this state  
10 performing any attest services;

11  
12 (B) Any firm with an office in this state  
13 that uses the title "CPA" or "CPA firm"; and

14  
15 (C) Any firm that does not have an office  
16 in this state but performs attest services described in  
17 W.S. 33-3-102(a)(vi)(A), (C) or (D) for a client having its  
18 home office in this state.

19  
20 (xiv) A firm which does not have an office in  
21 this state may perform services described in W.S. 33-3-  
22 102(a)(vi)(B) or 33-3-102(a)(ix) for a client having its

1 home office in this state and my use the title "CPA or "CPA  
2 firm" without a permit issued under this section if:

3

4 (A) The firm has the qualifications  
5 described in paragraph (xvi) of this subsection and W.S.  
6 33-3-132; and

7

8 (B) The firm performs the services through  
9 an individual with practice privileges under W.S. 33-3-  
10 116(a).

11

12 (xv) A firm which is not subject to the  
13 requirements of paragraphs (xiii) or (xiv) of this  
14 subsection may perform other professional services while  
15 using the title "CPA" or "CPA firm" without a permit if:

16

17 (A) The firm performs the services through  
18 an individual with practice privileges under W.S. 33-3-  
19 116(a); and

20

21 (B) The firm can lawfully perform those  
22 services in the state where the individual with practice  
23 privileges has his principal place of business.

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(xvi) Notwithstanding any other provision of law, at least a simple majority of the ownership of the firm holding a permit under this section, in terms of financial interests and voting rights of all partners, officers, shareholders, members or managers shall belong to holders of a certificate who are licensed in some state and those partners, officers, shareholders, members or managers whose principal place of business is in this state and who perform professional services in this state shall hold a valid certificate issued under W.S. 33-3-109 or the corresponding provision of prior law. Firms may include non-certificate holder owners but the firm and its ownership shall comply with rules promulgated by the board.

(xvii) Any firm may include non-licensed owners provided that:

(A) The firm designates a certificate holder of this state, or in the case of a firm which is required to have a permit pursuant to W.S. 33-3-116(a)(iv) a licensee of another state who meets the requirements of W.S. 33-3-116(a), who is responsible for the proper



1 registration of the firm and the firm identifies that  
2 individual to the board;

3  
4 (B) All nonlicensed owners shall be active  
5 individual participants in the firm or the firm's  
6 affiliated entities;

7  
8 (C) The firm complies with any other  
9 requirements imposed by board rules;

10  
11 (D) Any firm which is not in compliance  
12 with the requirements of this subsection due to changes in  
13 firm ownership or personnel after receiving or renewing a  
14 permit shall take corrective action to bring the firm back  
15 into compliance. The board, through rule and regulation,  
16 shall specify a period of time for firms to take corrective  
17 action. Failure to take corrective action may be grounds  
18 for suspension or revocation of the permit issued under  
19 this section.

20  
21 ~~(d) All attest services as defined in this act and~~  
22 ~~performed by certificate holders shall be performed within~~  
23 ~~firms permitted under this section.~~ This section shall not

1 be applied to prohibit any officer or employee of the state  
2 or federal government or political subdivision thereof from  
3 performing his official duties.

4

5 **33-3-119. Accounting offices; registration.**

6

7 ~~Each office of a certified public accountant established or~~  
8 ~~maintained in Wyoming for the practice of public accounting~~  
9 ~~which is advertised as an office of a certified public~~  
10 ~~accountant shall be registered annually with the board. No~~  
11 ~~fee shall be charged for the registration of offices. Each~~  
12 ~~office shall be under the direct supervision of a resident~~  
13 ~~manager who holds an active Wyoming certificate. An~~  
14 applicant for initial issuance or renewal of a permit to  
15 practice under W.S. 33-3-118 shall register each office of  
16 the firm within the state with the board and shall provide  
17 evidence that all attest and compilation services rendered  
18 in the state are under the charge of a person holding a  
19 valid license issued under W.S. 33-3-109 or the  
20 corresponding provision of prior law, if required. The  
21 board shall by regulation prescribe the procedure to be  
22 followed in effecting these registrations.

23

1           **33-3-120. Permits; annual fee; renewal; requirements.**

2

3           (a) Permits to engage in the practice of public  
4 accounting as a certified public accountant firm in Wyoming  
5 shall be issued by the board to certified public accountant  
6 firms registered under this act if all offices of the  
7 registrant in Wyoming are maintained and registered as  
8 required under W.S. 33-3-119.

9

10           (b) There shall be an annual permit fee ~~not exceeding~~  
11 ~~three hundred dollars (\$300.00)~~ to be determined by the  
12 board in accordance with W.S. 33-1-201. All permits shall  
13 expire on the last day of December of each year and may be  
14 renewed annually for a period of one (1) year by  
15 registrants who meet the requirements specified in  
16 subsection (a) of this section and upon payment of the  
17 annual permit fee. If the annual permit fee is not paid by  
18 the first day of November, a late renewal fee as set by the  
19 board, ~~not to exceed one hundred fifty dollars (\$150.00),~~  
20 in accordance with W.S. 33-1-201 shall be added to the  
21 renewal fee.

22

1           **33-3-121. Certificates and permits; disciplinary**  
2 **action; grounds.**

3  
4           (a) After notice and hearing, the board may revoke,  
5 refuse to renew, reprimand, censure, limit the scope of  
6 practice, place on probation with or without terms,  
7 conditions or limitations, or may suspend for a period not  
8 to exceed two (2) years, any certificate or practice  
9 privilege issued under this act or may revoke, suspend,  
10 limit the scope of practice, or refuse to renew any permit  
11 issued under this act or may censure the holder of a permit  
12 for any of the following causes:

13  
14           (iii) Violation of any of the provisions of ~~W.S.~~  
15 ~~33-3-125 through 33-3-127~~ this act;

16  
17           (iv) Violation of ~~a~~ any rule ~~of professional~~  
18 ~~conduct~~ promulgated by the board under the authority  
19 granted by this act;

20  
21           (b) Upon receipt from the department of family  
22 services of a certified copy of an order from a court to  
23 withhold, suspend or otherwise restrict a certificate or

1 permit issued by the board or a practice privilege, the  
2 board shall notify the party named in the court order of  
3 the withholding, suspension or restriction of the  
4 certificate, practice privilege or permit in accordance  
5 with the terms of the court order. No appeal under the  
6 Wyoming Administrative Procedure Act shall be allowed for a  
7 certificate, practice privilege or permit withheld,  
8 suspended or restricted under this subsection.

9

10 (c) In lieu of or in addition to any disciplinary  
11 action specifically provided in subsection (a) of this  
12 section, the board may require a certificate, practice  
13 privilege or permit holder to complete such continuing  
14 professional education programs as the board may specify or  
15 undergo peer review as the board may specify.

16

17 **33-3-124. Reinstatement of certificate or permit for**  
18 **good cause shown.**

19

20 Upon written application and after hearing and for good  
21 cause shown, the board may issue a new certificate to a  
22 certified public accountant whose certificate has been  
23 revoked or may reissue or modify the suspension of any

1 certificate, practice privilege or permit which has been  
2 revoked or suspended. A certificate, practice privilege or  
3 permit suspended or restricted under W.S. 33-3-121(b) may  
4 be reissued without the hearing required under this section  
5 if the department of family services provides notice that  
6 the applicant has complied with the terms of the court  
7 order that resulted in the suspension or restriction of the  
8 certificate, practice privilege or permit.

9  
10 **33-3-125. Certified public accountant; use of**  
11 **designation; requirements.**

12  
13 (a) Except as permitted by the board under W.S.  
14 33-3-109(f) and (g), no person shall assume or use the  
15 title or designation "certified public accountant" or the  
16 abbreviation "CPA" or any other title, designation, words,  
17 letters, abbreviation, sign, card or device tending to  
18 indicate that the person is a certified public accountant  
19 unless the person has received a certificate as a certified  
20 public accountant under the provisions of this act or has a  
21 practice privilege under W.S. 33-3-116(a).

22

1           (b) No organization shall use the title or  
2 designation "certified public accountant" or the  
3 abbreviation "CPA" or any other title, designation, words,  
4 letters, abbreviation, sign, card or device tending to  
5 indicate that the organization is composed of certified  
6 public accountants unless the organization is registered as  
7 a certified public accountant firm under the provisions of  
8 this act and the certified public accountant firm holds a  
9 permit or is exempt from registration under W.S. 33-3-  
10 118(b) (xiv) or (xv).

11

12           (c) A person who does not hold a certificate or  
13 practice privilege under this act and who completes a  
14 review shall only use the following safe harbor language or  
15 other nonstatements on standards for accounting and review  
16 services language, "I (We) have reviewed the accompanying  
17 (financial statement) of the (name of entity) as of (time  
18 period) for the (period) then ended. These financial  
19 statements (information) are (is) the responsibility of the  
20 company's management. I (We) have not audited the  
21 accompanying financial statements and accordingly do not  
22 express an opinion or any other form of assurance on them."

23

1           (d) A person who does not hold a certificate or  
2 practice privilege under this act and completes a  
3 compilation service shall only use the following safe  
4 harbor language or other nonstatements on standards for  
5 accounting and review services language, "I (We) have  
6 compiled the accompanying (financial statement) of (name  
7 entity) as of (time period) for the (period) then ended.  
8 This compilation is limited to preparing in the form of  
9 financial statements information that is the representation  
10 of management (owners). I (We) have not audited or  
11 reviewed the accompanying financial statements and  
12 accordingly do not express an opinion or any other form of  
13 assurance on them."

14

15           (e) Notwithstanding any other provision of law, it  
16 shall not be a violation of this act for a firm which does  
17 not hold a valid permit under W.S. 33-3-118 and which does  
18 not have an office in this state to provide its  
19 professional services and practice public accounting in  
20 this state if it complies with the requirements of W.S. 33-  
21 3-188(b)(xiv) or (xv).

22

23           **\*\*\* Staff note: Do they mean "principal office"**  
24 **rather than "office"? \*\*\***

25



1           **33-3-127. Certified public accountant firm; wording**  
2 **used; requirements.**

3

4 No person shall assume or use the title or designation  
5 "certified public accountant" in conjunction with names  
6 indicating or implying that there is an organization, or in  
7 conjunction with the designation "and Company" or "and Co."  
8 or a similar designation if there is in fact no bona fide  
9 organization registered under the provisions of this act or  
10 under the provisions of a similar state act.

11

12           **33-3-201. Accountants; liability; definitions.**

13

14           (a) As used in this article, "accountant" means any  
15 individual holding a certificate as a certified public  
16 accountant under W.S. 33-3-109 or any individual holding a  
17 practice privilege under W.S. 33-3-116 or any certified  
18 public accountant firm registered with the state board of  
19 certified public accountants under W.S. 33-3-118 or any  
20 employee, agent, partner, manager, member, officer or  
21 shareholder of any partnership, corporation or any other  
22 allowable form of organization registered with the state  
23 board of certified public accountants.

1

2           **Section 2.**    W.S. 33-3-118(b)(ix) through (xii) is  
3 repealed.

4

5           **Section 3.**    This act is effective July 1, 2009.

6

7

(END)