

1-1 By: Button, et al. (Senate Sponsor - Perry) H.B. No. 2217
 1-2 (In the Senate - Received from the House April 24, 2023;
 1-3 April 24, 2023, read first time and referred to Committee on
 1-4 Business & Commerce; May 10, 2023, reported favorably by the
 1-5 following vote: Yeas 11, Nays 0; May 10, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the regulation of the practice of public accountancy.
 1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Section 901.002(a)(7), Occupations Code, is
 1-24 amended to read as follows:
 1-25 (7) "Corporation" has the meaning assigned by Section
 1-26 1.002, Business Organizations Code. The term includes an entity
 1-27 [means a corporation] authorized by [a statute applicable to this
 1-28 state or by] an equivalent law of another state or a foreign country
 1-29 [, including a professional public accounting corporation
 1-30 organized under The Texas Professional Corporation Act (Article
 1-31 1528c, Vernon's Texas Civil Statutes)].
 1-32 SECTION 2. Section 901.252, Occupations Code, is amended to
 1-33 read as follows:
 1-34 Sec. 901.252. ELIGIBILITY REQUIREMENTS. To be eligible to
 1-35 receive a certificate, a person must:
 1-36 (1) satisfy the requirements of Section 901.253;
 1-37 (2) meet the education requirements established under
 1-38 Section 901.254 ~~[or 901.255]~~;
 1-39 (3) pass the uniform CPA examination;
 1-40 (4) meet the work experience requirements established
 1-41 under Section 901.256; and
 1-42 (5) pass an examination on the rules of professional
 1-43 conduct as determined by board rule.
 1-44 SECTION 3. Section 901.304(a), Occupations Code, is amended
 1-45 to read as follows:
 1-46 (a) For each examination or reexamination, the board by rule
 1-47 shall apportion an amount of the total examination fee among the
 1-48 parts of the examination that an applicant is eligible to take on a
 1-49 particular examination date. For each examination or
 1-50 reexamination, the board shall collect from each applicant a fee
 1-51 set by board rule not to exceed the cost of administering the parts
 1-52 of the examination that the applicant is eligible to take.
 1-53 SECTION 4. The heading to Section 901.310, Occupations
 1-54 Code, is amended to read as follows:
 1-55 Sec. 901.310. PASSAGE OF ~~[CONDITIONAL]~~ EXAMINATION
 1-56 ~~[CREDIT]~~.
 1-57 SECTION 5. Section 901.310(c), Occupations Code, is amended
 1-58 to read as follows:
 1-59 (c) The board shall consider a person to have passed an
 1-60 examination if the person receives credit for each subject within
 1-61 the time prescribed by the board ~~[by receiving conditional credit~~
 1-62 ~~after September 1, 1989, and passing the remaining subjects within~~
 1-63 ~~the six consecutive examinations following the examination for~~

2-1 ~~which the person receives conditional credit].~~

2-2 SECTION 6. Section [901.311](#), Occupations Code, is amended to
2-3 read as follows:

2-4 Sec. 901.311. RESTRUCTURE OF EXAMINATION. On the
2-5 restructuring of ~~[if]~~ the uniform CPA examination ~~[is~~
2-6 ~~restructured]~~, the board by rule shall determine the manner in
2-7 which credit for a subject is integrated into the new structure.

2-8 SECTION 7. Section [901.355](#)(a), Occupations Code, is amended
2-9 to read as follows:

2-10 (a) The holder of a certificate, license, or degree
2-11 authorizing the person to practice public accountancy in a foreign
2-12 country who on or before September 1, 2023, registered ~~[may~~
2-13 ~~register]~~ with the board as the holder of a certificate, license, or
2-14 degree issued by the foreign country may continue to practice in
2-15 this state under that registration for as long as the person stays
2-16 in compliance with the provisions of this chapter and board rules
2-17 applicable to the person~~[, if the board determines that the~~
2-18 ~~standards under which the applicant was certified or otherwise~~
2-19 ~~authorized to practice public accountancy were at least as high as~~
2-20 ~~the standards of this state at the time that authority was granted].~~

2-21 SECTION 8. Section [901.404](#), Occupations Code, is amended to
2-22 read as follows:

2-23 Sec. 901.404. NOTICE OF LICENSE EXPIRATION. (a) Not later
2-24 than the 30th day before the expiration date of a person's license,
2-25 the board shall send written or electronic notice of the impending
2-26 license expiration to the person at the person's last known address
2-27 or e-mail address according to the board's records.

2-28 (b) The board shall determine the amount of the renewal fee
2-29 and shall provide written or electronic ~~[mail]~~ notice of that
2-30 amount to the person within the time provided by Subsection (a).

2-31 SECTION 9. The heading to Section [901.457](#), Occupations
2-32 Code, is amended to read as follows:

2-33 Sec. 901.457. ACCOUNTANT-CLIENT CONFIDENTIALITY
2-34 ~~[PRIVILEGE]~~.

2-35 SECTION 10. Section [901.656](#)(b), Occupations Code, is
2-36 amended to read as follows:

2-37 (b) The board may award a scholarship under this subchapter
2-38 only to an eligible student who intends to take the uniform CPA
2-39 ~~[written]~~ examination conducted by the board for the purpose of
2-40 granting a certificate of "certified public accountant." An
2-41 applicant for a scholarship under this subchapter shall state such
2-42 an intent by filing a form provided by the board stating an intent
2-43 to take the examination.

2-44 SECTION 11. Section [33.01](#)(15-a), Penal Code, is amended to
2-45 read as follows:

2-46 (15-a) "Privileged information" means:

2-47 (A) protected health information, as that term is
2-48 defined by Section [182.002](#), Health and Safety Code;

2-49 (B) information that is subject to the
2-50 attorney-client privilege; or

2-51 (C) information that is subject to ~~[the]~~
2-52 accountant-client confidentiality ~~[privilege]~~ under Section
2-53 [901.457](#), Occupations Code, or other law, if the information is on a
2-54 computer, computer network, or computer system owned by a person
2-55 possessing a license issued under Subchapter H, Chapter [901](#),
2-56 Occupations Code.

2-57 SECTION 12. The following provisions of the Occupations
2-58 Code are repealed:

2-59 (1) Section [901.054](#)(b);

2-60 (2) Section [901.255](#);

2-61 (3) Sections [901.310](#)(a) and (b); and

2-62 (4) Sections [901.355](#)(b) and (c).

2-63 SECTION 13. This Act takes effect immediately if it
2-64 receives a vote of two-thirds of all the members elected to each
2-65 house, as provided by Section [39](#), Article III, Texas Constitution.
2-66 If this Act does not receive the vote necessary for immediate
2-67 effect, this Act takes effect September 1, 2023.

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