

ARKANSAS REGISTER

Proposed Rule Cover Sheet



Secretary of State
John Thurston
500 Woodlane Street, Suite 026
Little Rock, Arkansas 72201-1094
(501) 682-5070
www.sos.arkansas.gov



Name of Department _____

Agency or Division Name _____

Other Subdivision or Department, If Applicable _____

Previous Agency Name, If Applicable _____

Contact Person _____

Contact E-mail _____

Contact Phone _____

Name of Rule _____

Newspaper Name _____

Date of Publishing _____

Final Date for Public Comment _____

Location and Time of Public Meeting _____

RULE 12 FEES

The fees for various services of the Board are as follows (must be paid in U. S. dollars):

12.1 CPA EXAMINATION:

* Application Fees – First-Time and Section Fees (non-refundable and non-transferable):

First-time application fee	\$50
Applying for one section	\$75
Applying for two sections	\$90
Applying for three sections	\$105
Applying for four sections	\$120

* Other Costs:

Fees for the NASBA, AICPA, and Test Delivery Provider are also collected by the Board and held for the candidate for transfer to these entities. These entities set fees separate from the Board. The Board will display such fees on the examination application.

12.2 APPLICATION FEES (non refundable):

CPA/PA License.....	\$50
Reciprocal License	\$50
Registration as a Public Accountant	\$50
Firm Registration of Partnership, Limited Liability Company or Corporation Composed of CPAs	\$110
Firm Registration of Partnership, Limited Liability Company or Corporation Composed of PAs	\$110
Firm Registration of Sole Proprietor, Partnership, Limited Liability Company or Corporation Composed of CPAs required to register under Substantial Equivalency	\$110
Reinstatement	\$150
Duplicate or replacement certificate.....	\$ 40
Transfer of Credits From Another Jurisdiction:	
Transfer Fee for Each Part	\$10

12.3 ANNUAL REGISTRATION FEES

License to Practice.....	\$110
Inactive License Status.....	\$55
Firm Registration: Partnership, Corporations and Limited Liability Company.....	\$110
Firm Registration of Sole Proprietor, Partnership, Limited Liability Company or Corporation Composed of CPAs required to register under Substantial Equivalency	\$110
Registration of each firm office in excess of one office.....	\$ 25
Late Fee - License to Practice/Firms.....per month	\$ 25
Late Fee - Inactive License Status.....per month	\$10

12.4 QUALITY REVIEW

Fee for First Report.....	\$100
Fee for each additional type of report submitted.....	\$50

Fees are due at the time reports are submitted for review in response to QR Survey.

12.5 WAIVER OF INITIAL LICENSING FEES

(A) Pursuant to Act 725 of 2021, an applicant may receive a waiver of the initial licensure fee, if eligible. Eligible applicants are applicants who:

- 1) Are receiving assistance through the Arkansas, or current state of residence equivalent, Medicaid Program, the Supplemental Nutrition Assistance Program (SNAP), the Special Supplemental Nutrition Program for Women, Infants, and Children (SSNP), the Temporary Assistance for Needy Families Program (TEA), or the Lifeline Assistance Program (LAP);
- 2) Were approved for unemployment benefits within the last twelve (12) months; or
- 3) Have an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines.

(B) Applicants shall provide documentation as follows:

- 1) For Medicaid, SNAP, SSNP, TEA, or LAP, documentation from the Arkansas Department of Human Service (DHS), or current state of residence equivalent agency;
- 2) For unemployment benefits approval in the last twelve (12) months, documentation from the Arkansas Department of Workforce Services, or current state of residence equivalent agency; or
- 3) For the income provision in (A)(3) above, a signed affidavit confirming that he or she has an income that does not exceed two hundred percent (200%) of the federal poverty income guidelines, as established by the United States Federal government. The applicant may be required by the Board to submit income tax related documents for verification purposes.

The waiver does not include fees charged for the CPA exam or criminal background checks.

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The waiver does not include fees charged for the CPA exam or criminal background checks.

QUESTIONNAIRE FOR FILING PROPOSED RULES WITH THE
ARKANSAS LEGISLATIVE COUNCIL

DEPARTMENT/AGENCY Department of Labor and Licensing
DIVISION Arkansas State Board of Public Accountancy
DIVISION DIRECTOR Jimmy Corley, Director
CONTACT PERSON Jimmy Corley
ADDRESS 900 W. Capitol, Suite 400, Little Rock, AR 72201
PHONE NO. 501.682.5533 **FAX NO.** 501.682.5538 **E-MAIL** james.corley@arkansas.gov
NAME OF PRESENTER AT COMMITTEE MEETING Jimmy Corley
PRESENTER E-MAIL james.corley@arkansas.gov

INSTRUCTIONS

- A.** Please make copies of this form for future use.
- B.** Please answer each question completely using layman terms. You may use additional sheets, if necessary.
- C.** If you have a method of indexing your rules, please give the proposed citation after “Short Title of this Rule” below.
- D.** Submit two (2) copies of this questionnaire and financial impact statement attached to the front of two (2) copies of the proposed rule and required documents. Mail or deliver to:

Jessica C. Sutton
Administrative Rules Review Section
Arkansas Legislative Council
Bureau of Legislative Research
One Capitol Mall, 5th Floor
Little Rock, AR 72201

- 1. What is the short title of this rule? Board Rule 12 “Fees”
- 2. What is the subject of the proposed rule? To implement a process for the waiver of initial licensing fees for those who receive state assistance or have an income below 200% of federal poverty line.
- 3. Is this rule required to comply with a federal statute, rule, or regulation? Yes _____ No X _____
If yes, please provide the federal rule, regulation, and/or statute citation.
- 4. Was this rule filed under the emergency provisions of the Administrative Procedure Act?
Yes _____ No X _____
If yes, what is the effective date of the emergency rule? _____
When does the emergency rule expire? _____
Will this emergency rule be promulgated under the permanent provisions of the Administrative Procedure Act? Yes _____ No _____

5. Is this a new rule? Yes _____ No X If yes, please provide a brief summary explaining the rule.

Does this repeal an existing rule? Yes _____ No X If yes, a copy of the repealed rule is to be included with your completed questionnaire. If it is being replaced with a new rule, please provide a summary of the rule giving an explanation of what the rule does.

Is this an amendment to an existing rule? Yes X No _____ If yes, please attach a mark-up showing the changes in the existing rule and a summary of the substantive changes. **Note: The summary should explain what the amendment does, and the mark-up copy should be clearly labeled "mark-up."**

6. Cite the state law that grants the authority for this proposed rule? If codified, please give the Arkansas Code citation. **ACA 17-12-203(a)**
7. What is the purpose of this proposed rule? Why is it necessary? **To comply with Act 725 and Act 1101 of 2021**
8. Please provide the address where this rule is publicly accessible in electronic form via the Internet as required by Arkansas Code § 25-19-108(b). **<https://www.asbpa.arkansas.gov/laws-and-rules/proposed-rule-changes/>**
9. Will a public hearing be held on this proposed rule? Yes _____ No X
We do not plan to hold a hearing unless requested, as provided in ACA 25-15-204(a)(2)(b).
- If yes, please complete the following:
- Date: _____
- Time: _____
- Place: _____
10. When does the public comment period expire for permanent promulgation? (Must provide a date.)
2-11-22
11. What is the proposed effective date of this proposed rule? (Must provide a date.)
4-1-22
12. Please provide a copy of the notice required under Ark. Code Ann. § 25-15-204(a), and proof of the publication of said notice. **Will provide after ADG publishing on January 7,8, and 9**
13. Please provide proof of filing the rule with the Secretary of State as required pursuant to Ark. Code Ann. § 25-15-204(e).
SOS was copied on the email filing with

14. Please give the names of persons, groups, or organizations that you expect to comment on these rules? Please provide their position (for or against) if known.

Unknown

FINANCIAL IMPACT STATEMENT

PLEASE ANSWER ALL QUESTIONS COMPLETELY

DEPARTMENT Department of Labor and Licensing

DIVISION Arkansas State Board of Public Accountancy

PERSON COMPLETING THIS STATEMENT Jimmy Corley, Director

TELEPHONE NO. 501.682.5533 **FAX NO.** 501.682.5538 **EMAIL:** james.corley@arkansas.gov

To comply with Ark. Code Ann. § 25-15-204(e), please complete the following Financial Impact Statement and file two copies with the questionnaire and proposed rules.

SHORT TITLE OF THIS RULE Rule 12 “Fees”

1. Does this proposed, amended, or repealed rule have a financial impact?
Yes X No
2. Is the rule based on the best reasonably obtainable scientific, technical, economic, or other evidence and information available concerning the need for, consequences of, and alternatives to the rule?
Yes X No
3. In consideration of the alternatives to this rule, was this rule determined by the agency to be the least costly rule considered? Yes No **NA – the rule was mandated by the General Assembly**

If an agency is proposing a more costly rule, please state the following:

- (a) How the additional benefits of the more costly rule justify its additional cost;
 - (b) The reason for adoption of the more costly rule;
 - (c) Whether the more costly rule is based on the interests of public health, safety, or welfare, and if so, please explain; and
 - (d) Whether the reason is within the scope of the agency’s statutory authority, and if so, please explain.
4. If the purpose of this rule is to implement a federal rule or regulation, please state the following:
- (a) What is the cost to implement the federal rule or regulation? **Potential lost revenue to the Board – amount unknown, though we expect the impact to be less than \$2,000 per year**

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

(b) What is the additional cost of the state rule?

Current Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

Next Fiscal Year

General Revenue _____
Federal Funds _____
Cash Funds _____
Special Revenue _____
Other (Identify) _____

Total _____

5. What is the total estimated cost by fiscal year to any private individual, entity and business subject to the proposed, amended, or repealed rule? Identify the entity(ies) subject to the proposed rule and explain how they are affected.

Current Fiscal Year

\$ 0 _____

Next Fiscal Year

\$ 0 _____

6. What is the total estimated cost by fiscal year to state, county, and municipal government to implement this rule? Is this the cost of the program or grant? Please explain how the government is affected.

Current Fiscal Year

\$ 0 _____

Next Fiscal Year

\$ 0 _____

7. With respect to the agency's answers to Questions #5 and #6 above, is there a new or increased cost or obligation of at least one hundred thousand dollars (\$100,000) per year to a private individual, private entity, private business, state government, county government, municipal government, or to two (2) or more of those entities combined?

Yes _____ No X

If YES, the agency is required by Ark. Code Ann. § 25-15-204(e)(4) to file written findings at the time of filing the financial impact statement. The written findings shall be filed simultaneously

with the financial impact statement and shall include, without limitation, the following:

- (1) a statement of the rule's basis and purpose;
- (2) the problem the agency seeks to address with the proposed rule, including a statement of whether a rule is required by statute;
- (3) a description of the factual evidence that:
 - (a) justifies the agency's need for the proposed rule; and
 - (b) describes how the benefits of the rule meet the relevant statutory objectives and justify the rule's costs;
- (4) a list of less costly alternatives to the proposed rule and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (5) a list of alternatives to the proposed rule that were suggested as a result of public comment and the reasons why the alternatives do not adequately address the problem to be solved by the proposed rule;
- (6) a statement of whether existing rules have created or contributed to the problem the agency seeks to address with the proposed rule and, if existing rules have created or contributed to the problem, an explanation of why amendment or repeal of the rule creating or contributing to the problem is not a sufficient response; and
- (7) an agency plan for review of the rule no less than every ten (10) years to determine whether, based upon the evidence, there remains a need for the rule including, without limitation, whether:
 - (a) the rule is achieving the statutory objectives;
 - (b) the benefits of the rule continue to justify its costs; and
 - (c) the rule can be amended or repealed to reduce costs while continuing to achieve the statutory objectives.

<i>Rule number</i>	<i>Rule Title</i>	<i>Summary</i>
Rule 12	Fees	Act 725 of 2021 required us to promulgate rules to waive fees for license applicants who receive certain state benefits or fall below 200% of the federal poverty line.