Office of the Revisor of Statutes

Administrative Rules

TITLE: Adopted Permanent Rules Relating to Uniform CPA Examination Changes

AGENCY: Board of Accountancy

MINNESOTA RULES: Chapter 1100

APPROVED AS TO FORM AND LEGALITY
Dec. 29 19 95
HUBERT H. HUMPHREY, III
ATTORNEY GENERAL
BY Alan Beuchler
ASSISTANT ATTORNEY GENERAL

JAN 1996
FILED
SECRETARY OF STATE

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The attached rules are approved for filing with the Secretary of State

Carla M. Riehle
Senior Assistant Revisor

9600137

Board of Accountancy

Adopted Permanent Rules Relating to Uniform CPA Examination Changes

Rules as Adopted

1100.0100 DEFINITIONS.

[For text of subps 1 to 2b, see M.R.]

Subp. 2c. **CPA PLC or CPA LLC.** "CPA PLC" or "CPA LLC" means a professional limited liability company where all the members are CPAs.

Subp. 2d. **CPA PLLP or CPA LLP.** "CPA PLLP" or "CPA LLP" means a professional limited liability partnership where all the members are CPAs.

[For text of subps 3 to 6b, see M.R.]

Subp. 6c. **LPA PLC or LPA LLC.** "LPA PLC" or "LPA LLC" means a professional limited liability corporation where at least one member is an LPA and the rest are either LPAs or CPAs.

Subp. 6d. **LPA PLLP or LPA LLP.** "LPA PLLP" or "LPA LLP" means a professional limited liability partnership where at least one partner is an LPA and the rest are either LPAs or CPAs.

[For text of subps 7 to 9, see M.R.]

Subp. 9a. **PLC or LLC.** "PLC" or "LLC" means a professional limited liability company.

Subp. 9b. **PLLP or LLP.** "PLLP" or "LLP" means a professional limited liability partnership.

[For text of subps 10 to 12, see M.R.]

1100.1300 EXAMINATIONS AND CERTIFICATION FOR CPA APPLICANTS.

[For text of subps 1 to 5, see M.R.]

Subp. 6. **Attendance.** An applicant shall be present and prepared to engage in the work promptly at the hours appointed. An applicant who is unable to be present shall notify the board as soon as reasonably possible, but no later than 4:30 p.m. on the day before the first day of the complete examination. If the applicant fails to do so, the applicant shall be excluded

from all remaining sections of the current examination, forfeit the entire examination fee, and not be allowed to sit for reexamination at the next examination. The applicant may sit for subsequent examinations. An applicant who is unable to be present at the examination for which an application was approved by the board shall reapply for a later examination consistent with the examination application deadlines in part 1100.0800 and furnish current information on forms provided by the board. First time applicants shall take all sections of the examination. An applicant shall apply for and be present at the next examination given or the applicant's fee shall be forfeited.

[For text of subps 7 and 8, see M.R.]

Subp. 8a. **Disclosure of examination questions.** The board may impose disciplinary action, as provided for in Minnesota Statutes, section 326.229, subdivision 4, against an applicant, certificate holder, or licensee who discloses examination questions to any other entity or person, with or without compensation, prior to, during, or subsequent to any administration of the examination.

[For text of subps 9 and 10, see M.R.]

1100.2500 INITIAL LICENSING OF FIRMS.

Subpart 1. **Generally.** In order to engage in the practice of public accounting, a firm shall be a CPA or LPA partnership, CPA or LPA corporation, CPA or LPA PLC, CPA or LPA LLC, CPA or LPA PLLP, or CPA or LPA LLP, or any other entity organized in accordance with Minnesota laws governing the practice of public accounting and the organization and operation of partnerships, professional corporations, PLCs, and PLLPs.

A corporation or other entity that is not a firm as described in this subpart and in part 1100.0100, subpart 4d, and whose employees are engaged in activities described in part 1100.0100, subpart 10, item B, is not required to obtain a license.

Licensees who are employees, shareholders, partners, or members of a corporation or other entity that is not a firm as

described in this subpart and in part 1100.0100, subpart 4d, shall not engage in activities described in part 1100.0100, subpart 10, item A, in connection with their employment or ownership of the entity.

[For text of subps 2 to 5, see M.R.]

1100.3550 NAMES.

Subpart 1. **Use of CPA and LPA designation by certificate holders not holding active licenses.** An individual may use the designation "certified public accountant" or "licensed public accountant" as a credential only on business cards and resumes and may display a CPA or LPA certificate if the individual:

[For text of item A, see M.R.]

B. is not employed or otherwise retained by or associated with a CPA or LPA sole proprietor, partnership, or corporation; PLC; LLC, LLP, or PLLP engaged in the practice of public accounting as defined in part 1100.0100 or Minnesota Statutes, section 326.165;

[For text of items C and D, see M.R.]

[For text of subps 2 to 6, see M.R.]

1100.3600 FEES.

Subpart 1. **Initial application fees.** Applications shall be accompanied by fees payable to the "Minnesota Board of Accountancy" as follows:

A. application for certified public accountant examination by first-time applicants, $165;

B. application for certified public accountant reexamination in failed sections, $44 per section but not in excess of $165;

C. application for initial license for certified public accountant, $50;

D. application for reciprocal license for certified public accountant, $150;

E. application for reciprocal license for licensed public accountant, $150;

F. nonrefundable fee to proctor out-of-state

examination candidates applying to sit in Minnesota, $50;

G. application for initial corporation license, $100;

H. application for initial PLC, LLC, LLP, or PLLP license, $100;

I. application for temporary license, $50; and

J. application for initial partnership license, $35.

Subp. 2. **Annual license renewal fees.** Annual license renewal fees shall be as follows:

A. active individuals, $45;

B. inactive individuals, $10;

C. partnerships, $35;

D. corporations, $35;

E. LLCs, LLPs, PLCs, and PLLPs, $35; and

F. temporary individuals, $50.

Subp. 2a. **Annual license late processing fees.** Annual license late processing fees shall be as follows:

A. active individuals, $20;

B. inactive individuals, $10; and

C. partnerships, corporations, PLCs, LLCs, LLPs, and PLLPs, $25.

[For text of subps 2b to 4, see M.R.]