

BEFORE THE BOARD OF PUBLIC ACCOUNTANTS  
DEPARTMENT OF LABOR AND INDUSTRY  
STATE OF MONTANA

In the matter of the amendment of )  
ARM 24.201.502 accounting and )  
auditing experience requirements and )  
the adoption of NEW RULE I military )  
training or experience )

NOTICE OF AMENDMENT AND  
ADOPTION

TO: All Concerned Persons

1. On March 13, 2014, the Board of Public Accountants (board) published MAR Notice No. 24-201-48 regarding the public hearing on the proposed amendment and adoption of the above-stated rules, at page 482 of the 2014 Montana Administrative Register, Issue No. 5.

2. On April 3, 2014, a public hearing was held on the proposed amendment and adoption of the above-stated rules in Helena. A few comments were received by the April 11, 2014, comment deadline.

3. The board has thoroughly considered the comments received. A summary of the comments received and the board's responses are as follows:

COMMENT 1: One commenter provided information on New Rule I, noting that National Guard or Reserve members who have never been activated do not receive a DD 214 form upon discharge from the military. The commenter suggested that, if the board interprets the rule to require a DD 214 from all applicants, these types of military personnel may be excluded from submitting their military experience.

RESPONSE 1: The board agrees with the comment and is amending the new rule accordingly.

COMMENT 2: Two commenters raised concern regarding the provision in ARM 24.201.502(2)(a) where a commanding officer would attest to a candidate's military experience. One commenter stated that military commanders are not qualified to attest to the work of a CPA candidate, but suggested that there are currently active CPAs in the military that could attest to a candidate's experience. Another commenter opined that allowing such attestation would significantly reduce the experience requirement so as to adversely impact Montana's recognition as substantially equivalent to the other 54 CPA licensing jurisdictions, and negatively affect practice mobility.

RESPONSE 2: The board agrees that the proposed amendment to ARM 24.201.502(2)(a) may have the suggested unintended consequences and is amending the rule accordingly.

COMMENT 3: One commenter recognized that the proposed rule changes appear necessary, given the 2013 legislative changes.

RESPONSE 3: The board appreciates all comments received during the rulemaking process.

4. The board has amended ARM 24.201.502 with the following changes, stricken matter interlined, new matter underlined:

24.201.502 ACCOUNTING AND AUDITING EXPERIENCE REQUIREMENTS (1) and (2) remain as proposed.

(a) is attested to by a holder of a permit to practice that was current at the time of attestation or for military experience ~~attested to~~ evaluated by the board based on information provided by the applicant's commanding officer; and

(b) and (c) remain as proposed.

5. The board has adopted NEW RULE I (ARM 24.201.504) with the following changes, stricken matter interlined, new matter underlined:

NEW RULE I MILITARY TRAINING OR EXPERIENCE (1) and (2) remain as proposed.

(3) An applicant must submit satisfactory evidence of receiving military training, service, or education that is equivalent to relevant licensure requirements as a certificate holder or permit holder. ~~At a minimum, satisfactory~~ Satisfactory evidence ~~shall~~ may include:

(a) a copy of the applicant's military discharge document (DD 214 or other discharge documentation);

(b) through (4) remain as proposed.

BOARD OF PUBLIC ACCOUNTANTS  
LINDA HARRIS, CPA,  
PRESIDING OFFICER

/s/ DARCEE L. MOE  
Darcee L. Moe  
Rule Reviewer

/s/ PAM BUCY  
Pam Bucy, Commissioner  
DEPARTMENT OF LABOR AND INDUSTRY

Certified to the Secretary of State May 12, 2014