

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

FIRST REGULAR SESSION-2021

Legislative Document

No. 171

H.P. 124

House of Representatives, January 25, 2021

**An Act To Enable Out-of-state Certified Public Accountancy Firms
To Provide Services in Maine on the Basis of Substantial
Equivalency**

Received by the Clerk of the House on January 21, 2021. Referred to the Committee on Innovation, Development, Economic Advancement and Business pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "R B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative MILLETT of Cape Elizabeth.
Cosponsored by Representatives: BAILEY of Gorham, HASENFUS of Readfield,
PEBWORDH of Blue Hill, ROBERTS of South Berwick.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 32 MRSA §12252, sub-§1**, as amended by PL 2015, c. 110, §8, is further
3 amended to read:

4 **1. Licensure.** The board shall grant or renew a license to accounting firms that submit
5 the application required by the board, pay the fee as set under section 12203 and
6 demonstrate their qualifications in accordance with this section.

7 A. A firm must hold a license issued under this section if it:

8 (1) Has an office in this State performing any of the services described in section
9 12201, subsection 3-A, paragraphs A to D;

10 (2) Has an office in this State that uses the title "CPA" or "CPA firm"; or

11 (3) Does not have an office in this State and does not meet the requirements of
12 section 12253 but performs any of the services described in section 12201,
13 subsection 3-A, ~~paragraphs~~ paragraph A, C or D for a client having its home office
14 in this State.

15 B. A firm that does not have an office in this State may perform services described in
16 section 12201, subsection 3-A, paragraph B or F for a client having its home office in
17 this State and may use the title "CPA" or "CPA firm" without a license issued under
18 this section only if:

19 (1) It qualifies for a firm license pursuant to subsections 3 and 8 and it performs
20 such services through an individual with practice privileges under section 12232;
21 and or

22 ~~(2) It performs such services through an individual with practice privileges under~~
23 ~~section 12232.~~

24 (3) It meets the requirements of section 12253.

25 C. A firm that is not subject to the requirements of paragraphs A and B may perform
26 professional services other than those described in section 12201, subsection 3-A while
27 using the title "CPA" or "CPA firm" in this State without a license issued under this
28 section only if the firm meets the requirements of section 12253 or:

29 (1) Performs such services through an individual with practice privileges under
30 section 12232; and

31 (2) Has legal authority to perform such services in the state of that individual's
32 principal place of business.

33 **Sec. 2. 32 MRSA §12253** is enacted to read:

34 **§12253. Accountancy firm practice without license on the basis of substantial**
35 **equivalency**

36 **1. Substantial equivalency.** A firm with a principal place of business outside the
37 State is presumed to have qualifications substantially equivalent to the State's requirements
38 and has all the privileges of licensees of the State and may provide professional services in
39 the State without the requirement to obtain a license under this section or to otherwise
40 notify or register with the board or pay any fee if the firm:

