

PUBLIC RULE HEARING AND REGULAR BOARD MEETING

The New Mexico Public Accountancy Board (“Board”) will hold a rule hearing on Tuesday, October 26, 2021 at 9:00 a.m. Following the rule hearing, the Board will convene a board meeting to consider adoption of the rules and address regular business. The rule hearing and board meeting will be held at the Regulation and Licensing Department, 5500 San Antonio Dr. NE, Albuquerque, NM 87109 (dependent upon the current public health order), and online via Cisco Webex Meetings in Albuquerque, New Mexico.

To join the meeting online by Cisco Webex Meeting, please use the following link:

<https://nmrld.webex.com/nmrld/j.php?MTID=eb2ef8911d72d7790b01d9f8384cadfe9>

Event Code: 146 572 6875

The purpose of the rule hearing is to consider proposed amendments to the following rules:

16.60.1.7 NMAC – Definitions;
16.60.3.9 NMAC – Initial Certificate/License Requirements;
16.60.3.12 NMAC – Reinstatement Requirements;
16.60.3.14 NMAC- Substantial equivalency/intent to practice requirements;
16.60.3.15 NMAC – Continuing Professional Education (CPE) Required to Obtain or Maintain an “Active” CPA License;
16.60.4.8 NMAC – Firm Permit Application, Renewal, Reinstatement and Notification Requirements;
16.60.5.11 NMAC – Rules of Conduct; and

The purpose of the rule hearing is to consider the creation of the following rule:

16.60.5.15 NMAC – Criminal Convictions.

To obtain and review copies of the proposed changes you may go to the Board’s website at:

<http://www.rld.state.nm.us/boards/Accountancy.aspx> or contact the New Mexico Public Accountancy Board by email at Accountancy.Board@state.nm.us.

The Board is currently accepting public comments on the proposed amendments. Please submit written comments on the proposed changes to Noel Davis, Board Executive Director, via electronic mail at Accountancy.Board@state.nm.us or by regular mail at 5500 San Antonio Dr. NE, Albuquerque, NM 87109, no later than Monday, October 25, 2021. Persons will also be given the opportunity to drop off their comments prior to the rule hearing. An NMPAB staff member will be present between 8:00a.m – 9:00a.m. on the day of the rule hearing at the Regulation and Licensing Department, 5500 San Antonio Dr. NE, Albuquerque, NM 87109, to accept public comment in written form. The NMPAB staff will then present the public comment during the rules hearing. All written comments will be posted to the Board’s website at: <http://www.rld.state.nm.us/boards/Accountancy.aspx>, no more than three business days following receipt to allow for public viewing.

An individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or other form of auxiliary aid or service to attend or participate in the hearing, please contact Jeanette Contreras, Board Executive Director by email at Noel.Davis1@state.nm.us.

Statutory Authority: The 1999 New Mexico Public Accountancy Act, Sections 61-28B-5, NMSA 1978, among other provisions, specifically authorizes the Board to “adopt and file rules necessary to carry out the provisions of the 1999 Public Accountancy Act.”

Summary of Proposed Changes:

In addition to making minor clarification changes, the proposed rules are summarized as follows:

16.60.1.7 NMAC - Definitions

The amendments to this section clarify and create new definitions that will create better understanding of the Act.

16.60.3.9 NMAC - Initial Certificate/License Requirements

The amendments to this section will update licensing requirements to meet the Criminal Record Expungement Act pursuant to Sections 29-3A-1 through 29-3A-7 NMYSA 1978 and the Expedited Licensure for Military Families pursuant to 61-1-34 NMSA 1978.

16.60.3.12 NMAC - Reinstatement Requirements

The amendments to this section will update licensing requirements to meet the Criminal Record Expungement Act pursuant to Sections 29-3A-1 through 29-3A-7 NMYSA 1978.

16.60.3.14 NMAC – Substantial Equivalency/Intent to Practice Requirements

The amendments to this section will update licensing requirements to meet the Criminal Record Expungement Act pursuant to Sections 29-3A-1 through 29-3A-7 NMYSA 1978.

16.60.3.15 NMAC - Continuing Professional Education (CPE) Required to Obtain or Maintain an “Active” CPA License

The amendments to this section will clarify the process to request an extension to meet the CPE renewal requirements; add community service as an alternative option to a fine; update licensing requirements to meet the Criminal Record Expungement Act pursuant to Sections 29-3A-1 through 29-3A-7 NMYSA 1978.

16.60.4.8 NMAC - Firm Permit Application, Renewal, Reinstatement and Notification Requirements

The amendment to this section defines the firm permit expiration date.

16.60.5.11 NMAC - Rules of Conduct

The amendment to this section will update licensing requirements to meet the Criminal Record Expungement Act pursuant to Sections 29-3A-1 through 29-3A-7 NMYSA 1978.

16.60.5.14 NMAC – Criminal Convictions

This new section details the applicable criminal convictions that may disqualify an applicant from receiving or retaining a license in regards to the Criminal Record Expungement Act pursuant to Sections 29-3A-1 through 29-3A-7 NMYSA 1978; defines the board will not disseminate criminal records that are unrelated to the disqualifying event.