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RULE ADOPTION
LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY STATE BOARD OF ACCOUNTANCY
CREDIT-HOUR REQUIREMENTS;
NEW JERSEY LAW AND ETHICS COURSE; CONTINUING
PROFESSIONAL EDUCATION PROGRAMS AND
OTHER SOURCES OF CONTINUING PROFESSIONAL
EDUCATION CREDIT; CRITERIA FOR CONTINUING
PROFESSIONAL EDUCATION SPONSORS

Adopted New Rule: N.J.A.C. 13:29-6.3A

Adopted Amendments: N.J.A.C. 13:29-6.2, 6.5 and 6.6

Proposed: January 22, 2002 at 34 N.J.R. 433(a).

Adopted: April 18, 2002 by the New Jersey State Board of Accountancy, Robert Sommer, President.

Filed: August 7, 2002 as R.2002 d.293, with substantive changes not requiring additional public notice and comment (see N.J.A.C. 1:30-6.3).

Authority: N.J.S.A. 45:2B-42 et seq., 45:2B-68 and 45:1-15.1.

Effective Date: September 3, 2002.

Operative Date: January 1, 2003.

Expiration Date: May 1, 2005.

Federal Standards Statement

A Federal standards analysis is not required because the adopted amendments and new rule are governed by N.J.S.A. 45:2B-42 et seq., and are not subject to any Federal standards or requirements.

Full text of the adoption follows:

<< **NJ ADC 13:29-6.2** >>

13:29-6.2 Credit-hour requirements

(a) Each applicant for a triennial license renewal is required to complete, during the preceding triennial period, 120 hours of continuing professional education. The types of continuing professional education programs and other sources of continuing professional education for which credit hours may be obtained are set forth in N.J.A.C. 13:29-6.5. The 120 hours of continuing professional education shall include at least 24 credit hours in the areas of auditing, review and compilation for persons who are engaged in the practice of public accounting or are involved with the attest function in issuing audit, review or compilation reports. All applicants shall complete at least 72 credit hours of the required 120 credit hours in the technical subjects set forth in N.J.A.C. 13:29-6.3. All applicants shall complete four credit hours of the required 120 credit hours in the New Jersey law and ethics course set forth in N.J.A.C. 13:29-6.3A. The remaining 44 credit hours of the required 120 credit hours may include subjects specified in N.J.A.C. 13:29-6.4. No licensee shall receive credit for any course offered by a Board-approved continuing professional education sponsor

in subjects other than those enumerated in N.J.A.C. 13:29-6.3, 6.3A or 6.4. <<+For the triennial period commencing January 1, 2003 only, a licensee who has completed an approved law and ethics course, in addition to the required 120 hours of continuing professional education in the preceding triennial period, may apply the four credit hours in the New Jersey law and ethics course toward satisfaction of the requirements of this subsection.+>>

(b)-(d) (No change.)

<< NJ ADC 13:29-6.3A >>

13:29-6.3A New Jersey law and ethics course

Each applicant for triennial license renewal shall complete, during the preceding triennial period, a four credit course on New Jersey law and ethics approved by the Board pursuant to N.J.A.C. 13:29-6.6(c).

<< NJ ADC 13:29-6.5 >>

13:29-6.5 Continuing professional education programs and other sources of continuing professional education credit.

(a) The following qualify as continuing professional education programs provided they contain the subjects enumerated in N.J.A.C. 13:29-6.3, 6.3A and 6.4 and meet the continuing professional education program criteria requirements as set forth in N.J.A.C. 13:29-6.6.

1.-4. (No change.)

(b) In addition to the continuing professional education programs enumerated in (a) above, continuing professional education credit also shall be awarded for the following if they fall within the subjects enumerated in N.J.A.C. 13:29-6.3, 6.3A and 6.4 and meet the continuing professional education program criteria as set forth in N.J.A.C. 13:29-6.6.

1.-3. (No change.)

(c) In addition to the continuing professional education programs enumerated in (a) and (b) above, continuing professional education credit also shall be granted for the following if they involve subjects enumerated in N.J.A.C. 13:29-6.3, 6.3A and 6.4.

1. Service as a lecturer, instructor, discussion leader, or speaker: Continuing professional education credit shall be awarded for service as a lecturer, instructor, discussion leader, or speaker in accordance with the following:

i. One credit hour shall be given for each 50-minute period of service provided the discussion is one which meets the continuing professional education subject requirements of N.J.A.C. 13:29-6.3, 6.3A or 6.4. For the lecturer's, instructor's, discussion leader's, or speaker's preparation time, there shall be awarded two additional hours of continuing professional education credit for each credit hour of instruction. Requests for credit shall be accompanied by an outline of the instruction, discussion, or presentation;

ii.-iii. (No change.)

2. (No change.)

<< NJ ADC 13:29-6.6 >>

13:29-6.6 Criteria for continuing professional education sponsors

(a) In order to qualify as a continuing professional education sponsor in the subject matters set forth in N.J.A.C. 13:29-6.3 and 6.4, the sponsor shall submit an application form prescribed by the Board and obtain a sponsor number. Qualified sponsors shall offer courses which meet the following requirements:

1.-4. (No change.)

(b) A continuing professional education sponsor may receive prior approval for a course of acceptable subject matter set forth in N.J.A.C. 13:29-6.3 and 6.4 and be assigned a designated number of continuing professional education credits by the Board if the program sponsor provides, in writing and on a form provided by the Board, information required by the Board to document the elements of (a) above, and, in addition thereto, certifies that the sponsor shall:

1.-3. (No change.)

(c) A continuing professional education sponsor who wishes to offer a course on New Jersey law and ethics, as set forth in N.J.A.C. 13:29-6.3A, shall apply to the Board in writing for prior approval of the course. As part of the application, the program sponsor shall submit the following:

1. A complete course outline and course materials which shall document, at a minimum, instruction in the following areas:

- i. The Accountancy Act of 1997, N.J.S.A. 45:2B-42 et seq.;
- ii. The rules of the New Jersey State Board of Accountancy, N.J.A.C. 13:29, specifically including, but not limited to, the rules of professional conduct set forth in N.J.A.C. 13:29-3;
- iii. The Uniform Enforcement Act, N.J.S.A. 45:1-7.1, 7.2, 7.3 and 18 et seq.; and
- iv. The uniform regulations of the Division of Consumer Affairs, N.J.A.C. 13:45C;

2. Information documenting that the course shall be:

- i. A formal course of learning which contributes directly to the maintenance of professional competence of a licensee;
- ii. A total of four credit hours in length; and
- iii. Conducted by a qualified instructor or discussion leader; and

3. A certification verifying that the sponsor shall:

- i. Provide copies of the materials set forth in (c)1 above to each course attendee;
- ii. Maintain and retain accurate records of attendance at the course for a five-year period;
- iii. Retain a written outline of course materials for a five-year period; and
- iv. Comply with the requirements of N.J.A.C. 13:29-6.12 relative to the responsibilities of program sponsors.

(d) A continuing professional education sponsor who has qualified as a sponsor pursuant to (a) above, or has obtained prior Board approval for a course pursuant to (b) above, shall not offer courses for continuing professional education credit to any Board licensee in subject matters other than those enumerated in N.J.A.C. 13:29-6.3 or 6.4. A continuing professional education sponsor who has obtained Board approval pursuant to (c) above shall not offer any New Jersey law and ethics course for continuing professional education credit to any Board licensee other than the law and ethics course approved by the Board to fulfill the four credit hour requirement set forth in N.J.A.C. 13:29-6.2.