

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 30
Department or Agency: Alabama State Board of Public Accountancy
Rule No.: 30-X-7-.01
Rule Title: Initiation Of Proceedings
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? NA

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? No

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

D. Boyd Busby, CPA
Donald Boyd Busby

Date

Thursday, May 9, 2024

REC'D & FILED
MAY 9, 2024
LEGISLATIVE SVC AGENCY

ALABAMA STATE BOARD OF PUBLIC ACCOUNTANCY

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama State Board of Public Accountancy

RULE NO. & TITLE: 30-X-7-.01 Initiation Of Proceedings

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Rule is being amended to remove the Board's ability to charge a fee for complainant, as this fee is not being assessed by the Board. Rule will be amended as part of the Governor's request for Rule reduction

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

Alabama State Board of Public Accountancy Board meeting to be held on July 12, 2024 at the Board's office at 770 Washington Avenue, Suite 226, Montgomery, AL 36104

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Friday, July 12, 2024

CONTACT PERSON AT AGENCY:

D. Boyd Busby, CPA

*D. Boyd Busby, CPA*

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Donald Boyd Busby

(Signature of officer authorized  
to promulgate and adopt  
rules or his or her deputy)

**30-X-7-.01            Initiation Of Proceedings.**

(1) The Board may initiate such action as it deems appropriate to investigate and determine certificate holders', permit holders' and registered Public Accountants' compliance with the provisions of the Act or the Board's regulations.

(2) Unless the Board initiates proceedings on its own motion, it shall take action only upon receipt of a complaint made in writing, stating in detail the activities that the party complained of is alleged to have engaged in, and presenting the evidence of when, where and how a violation occurred. The complaint shall be filed with the Executive Director.

(3) Any person submitting a complaint may be required to support it by personal appearance before the Board.

~~(4) In the event the charges brought are not sustained and the accused is declared not guilty by the Board, the complainant shall be assessed all costs in connection with the hearing of the complaint, and as an evidence of good faith the Board, in its discretion, may require the complainant to deposit with the Board at the time of filing of the complaint a certified check in the sum of \$100.00 payable to the Alabama State Board of Public Accountancy.~~

**Author:** Alabama Board of Public Accountancy

**Statutory Authority:** Code of Ala. 1975, §§34-1-1, et seq.

**History:** Filed September 3, 1982. **Amended:** Filed November 17, 2016; effective January 1, 2017. Amended: Published ; effective .