

17-12-103. Definitions.

(a) As used in this chapter:

(1) “AICPA” means the American Institute of Certified Public Accountants, or its successor;

(2) “Attest” means providing the following financial statement services:

(A) An audit or other engagement to be performed in accordance with the “Statements on Auditing Standards”;

(B) A review of a financial statement to be performed in accordance with the “Statements on Standards for Accounting and Review Services”;

(C) An examination of prospective financial information to be performed in accordance with the “Statements on Standards for Attestation Engagements”; and

(D) An engagement to be performed in accordance with PCAOB standards;

(3) “Beneficial owner” means an individual who is the grantor and sole trustee of a revocable trust in which the individual reserves the unrestricted right to revoke the trust;

(4) “Board” means the Arkansas State Board of Public Accountancy created by § 17-12-201;

(5) “Certificate” means a certificate as “certified public accountant” issued under § 17-12-301 or a corresponding certificate as “certified public accountant” issued after examination under the laws of any other state;

(6) “Compilation” means providing a service to be performed in accordance with “Statements on Standards for Accounting and Review Services” and presenting in the form of financial statements information that is the representation of management and/or owners without undertaking to express any assurance on the financial statements;

(7) “Conviction” means all instances in a criminal case in which a defendant has been found guilty or pleads guilty or nolo contendere regardless of whether:

(A) Sentencing or imposition of sentencing has been deferred or suspended; or

(B) The adjudication of guilt or the sentence is withheld by the court;

(8) “Firm” means a partnership, corporation, limited liability company, sole proprietorship, or other entity required to be registered with the board under the provisions of § 17-12-401 et seq.;

(9) “License” means a certificate issued under § 17-12-301 or a registration under § 17-12-312 or § 17-12-401 et seq. or, in each case, a certificate or permit issued or a registration under corresponding provisions of prior law;

(10) “Licensee” means the holder of a license as defined in this section;

(11) “Member” means either:

(A) The person in whose name membership interests are registered in the records of a limited liability company; or

(B) The beneficial owner of membership interests of a revocable living trust where the membership interests are registered in the records of the limited liability company in the name of the revocable living trust;

(12) “NASBA” means the National Association of State Boards of Accountancy, or its successor;

(13) “PCAOB” means the Public Company Accounting Oversight Board, or its successor;

(14) “Practice of public accounting” means the performance of attest services as defined in this section or the performance of professional services while using the title or designation certified public accountant, public accountant, CPA, PA, accountant, or auditor;

(15) “Professional services” means services arising out of or related to the specialized knowledge or skills performed by certified public accountants or public accountants;

(16) “Shareholder” means either:

(A) The person in whose name shares are registered in the records of a corporation; or

(B) The beneficial owner of shares of a revocable living trust where the shares are registered in the records of the corporation in the name of the revocable living trust; and

(17) “State” means any state, territory, or insular possession of the United States or the District of Columbia.

(b) The statements on standards specified in subdivision (a)(2) of this section shall be:

(1) Adopted by reference by rule of the board; and

(2) Those developed for general application by recognized national accountancy organizations such as the American Institute of Certified Public Accountants.

History. Acts 1975, No. 160, § 22; A.S.A. 1947, § 71-632; Acts 1997, No. 306, § 4; 1999, No. 180, § 1; 2005, No. 54, § 1; 2009, No. 93, § 1.