



Legislative Update



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ON YOUR BEHALF

Monitoring the New York Fiscal Budget Negotiations: As the state budget negotiations continue, our Government Relations Team will continue to monitor the ongoing bills that the Legislature will be expected to introduce, discuss and vote on. Unfortunately, the Government Relations Team believes the non-CPA ownership bill will not be introduced in the final budget voted on by the Legislature. However, our team believes that we can still get this bill passed outside of budget negotiations. This will be a key advocacy issue for our 2023 Lobby Day.

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HOW IT WORKS

How to Become a Supreme Court Justice: One of the key opportunities of any president is to nominate a Supreme Court justice nominee. Historically, the president will convene a task force that includes members of the president's senior staff, key senior staff members of the president's party in the Senate, and judicial consultants to research regional federal judges or lawyers. Once the president has a nominee, he or she is required to announce it. The president's nominee is then sent to the Senate Judiciary Committee for consideration. The Senate Judiciary Committee holds a hearing on the nominee. The Committee usually takes a month to collect and receive all necessary records—from the FBI and other sources—about the nominee, and for the nominee to be prepared for the hearings. During the hearings, witnesses, both supporting and opposing the nomination, present their views. Senators question the nominee on his or her qualifications, judgment and philosophy. The Judiciary Committee then votes on the nomination and sends its recommendation (that it be confirmed that it be rejected, or with no recommendation) to the full Senate. The full Senate then debates and votes on the nomination. The Senate rules used to allow unlimited debate (a practice known as "filibustering"), and to end the debate, it required the votes of 3/5 of the Senate, or 60 senators (known as the "cloture" vote). In April 2017, the Senate changed this rule and lowered the required votes to 51 in order to end debate on Supreme Court nominations (this is commonly known as the "nuclear option"). When the debate ends, the Senate votes on the nomination. A simple majority of the Senators must be present, and voting is required for the judicial nominee to be confirmed. If there is a tie, the vice president, who also presides over the Senate, casts the deciding vote. Once the nominee has passed the Senate, the nominee is sworn in as an associate Supreme Court justice by the chief justice of the Supreme Court.

LEGISLATIVE AGENDA SPOTLIGHT

The NYSSCPA has officially launched its 2023 Legislative and Regulatory Agenda. Please visit our newly adopted agenda on our website.

Non-CPA Ownership Legislation – A.4189/S.2473A

ISSUE: New York state law prohibits non-CPA ownership of firms. New York and Hawaii are the only two states with this prohibition. As CPA client work becomes more complex, non-CPA professionals are increasingly vital to performing high-quality client work. IT professionals, policy experts, data analysts and others are reaching a professional ceiling due to the fact that firms are unable to offer any long-term incentive and growth opportunity. A non-CPA firm ownership option often results in the loss of these valued employees to neighboring states, where the opportunities they are looking for are available. Expanding opportunities for ownership in New York state will level the playing field, provide increased job opportunities and strengthen the economy.



BACKGROUND: The NYSSCPA continues to play a supportive role in advocating non-CPA ownership in New York. The legislation passed in the Senate but continues to stall in the Assembly's Higher Education Committee.

UPDATE: Gov. Hochul included Non-CPA Ownership in her 2022 Executive Budget proposal, and the Senate included it in their one-house budget resolution, but it was not included in the final enacted budget.

Last session: S.4221 (Stavisky) passed in the Senate, but **A.2919C (Peoples-Stokes)** failed to come out of the Assembly's Higher Education Committee. The NYSSCPA continues to make strides in passing this law.

This proposal has also been included in the governor's Executive Proposal for fiscal year 2023-24. Budget negotiations are currently ongoing.

[Read the 2023 NYSSCPA Legislative & Regulatory Agenda in full.](#)

STATE AND FEDERAL UPDATES

Get the latest information from the following statewide officials and the federal government:

Governor Kathy Hochul:

- [Gov. Hochul Announces Deployment of More Than 30 Megawatts of Solar Energy Throughout Upstate New York](#)
- [Statement from Gov. Kathy Hochul on Confirmation of Judge Rowan Wilson](#)
- [Gov. Hochul Unveils New Statewide Cannabis Public Education Campaign](#)
- [Gov. Hochul Announces \\$6.5 Million to Support New Insurance Policies and Products for Climate Technology Solutions](#)
- [Gov. Hochul Announces More Than \\$8.3 Million to Municipalities for Electric Vehicle Charging Infrastructure](#)
- [Gov. Hochul Announces \\$2 Million Expansion of CUNY Apprenticeship Offerings](#)

Comptroller Thomas P. DiNapoli:

- [DiNapoli: Temporary Federal Spending Drives Up NY's National Ranking in States' Balance of Payments](#)
- [DiNapoli: Employment Recovery for New Yorkers with Disabilities Lags Nation](#)
- [DiNapoli: Inconsistent Oversight and Guidance Left New York's Group Home Residents at Risk During Pandemic](#)
- [DiNapoli: SFY 2022-23 Tax Collections Outperform Projections; Fall Below Previous Year](#)
- [DiNapoli: State Missed Out on Over \\$180 Million in Medicaid Drug Rebates](#)

Attorney General Letitia James:

- [AG James Secures \\$462 Million from JUUL for Its Role in the Youth Vaping Epidemic](#)
- [AG James and Gov. Hochul Urge Court to Order Independent Redistricting Commission to Redraw Congressional District Lines](#)
- [AG James Shuts Down Websites Impersonating NYS Department of State](#)
- [AG James Co-Leads Multistate Coalition Calling for Increased Transparency of Nursing Home Ownership](#)

The New York Assembly:

- [Assembly Passes Legislation to Ensure SUNY and CUNY Students Have Access to Medication Abortion](#)
- [Assembly Speaker Heastie Statement](#)

The White House:

- [FACT SHEET: Biden-Harris Administration Announces New Private and Public Sector Investment for Affordable Electric Vehicles](#)
- [FACT SHEET: Biden-Harris Administration Proposes New Standards to Protect Public Health that Will Save Consumers Money, and Increase Energy Security](#)
- [Statement from President Joe Biden on March Jobs Report](#)
- [Biden-Harris Administration Releases Inflation Reduction Act Guidebook for Tribes](#)

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UPCOMING MEMBER LEGISLATIVE EVENTS

The Government Relations Team is expected at the following event(s):

- [NYSSCPA Lobby Day in Albany on May 2, sponsored by the NYS CPA PAC](#)
- [AICPA Hill visits with New York Congressional Delegation in Washington, D.C.](#)

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ARTICLES ON LEGISLATION & ADVOCACY

To keep you informed of the latest news:

- [IRS Issues Reminder of July 17 Deadline for 2019 Tax Year Refunds, *The Trusted Professional*](#)

Financial Stability Board Issues
Recommendations for Enhancing Cyber
Resilience, *The Trusted Professional*



- [Tax Day Receipts Crucial in the Face of a Potential Debt Ceiling Default](#), *The Trusted Professional*
- [IRS Completes First 'Normal' Filing Season Since Start of Pandemic](#), *The Trusted Professional*
- [CFOs May Be Slow to Adapt to AI and Other Technology Tools](#), *The Trusted Professional*
- [New York Bagel Shop Finds Loophole to Get Around the State's Sales Tax](#), *Above the Law*
- [U.S. Car Brands Will Benefit Most From Electric Car Tax Breaks](#), *The New York Times*
- [Spotlight on New York Corporate Tax Attorney Kara Mungovan](#), *Bloomberg Tax*

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NYSSCPA COMMENT LETTER

Stay up-to-date with NYSSCPA Comment Letter:

- [Comments to the National Association of State Boards of Accountancy and American Institute of CPAs Invitation to Comment—Exposure Draft: Proposed Statements on Standards for Continuing Professional Education \(CPE\) Programs. Proposed NASBA Fields of Study Document](#)

Comments on proposed revisions to the Statement on Standards for Continuing Professional Education (CPE) Programs

(Standards). Published by NASBA and the AICPA, the Standards provide a framework for the development, presentation, measurement and reporting of CPE programs.



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Have a Leg/Reg Issue?

Your issues matter to us! The NYSSCPA
Government Relations Team wants to help you

be heard in the halls of power. If you have a suggestion for our legislative agenda, if you are having trouble getting through red tape, or would like assistance reaching your local or state officials, please email Media & Government Relations Manager Jovan C. Richards at jrichards@nysscpa.org.



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THE CPA PAC AND THE LEGISLATIVE TASK FORCE

The [CPA Political Action Committee](#) (PAC) is bipartisan and raises funds to amplify the NYSSCPA's collective voice in Albany. The NYSSCPA distributes PAC donations to New York political candidates who understand the profession's needs and concerns. When you [donate to the PAC](#), you help send a clear message to legislators that issues important to the profession affect the wider business community and the public interest—and that we will be heard.



The [Legislative Task Force](#) (LTF) is responsible for the monitoring and evaluation of New York state laws, legislation, rules and regulations related to the accounting profession, in particular, and business, in general. In conjunction with the Society's legislative staff, the LTF proactively recommends to the NYSSCPA Board various amendments and changes to existing legislation and regulations, on a continual basis.

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