

## 1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 An Act to amend the Code of Virginia by adding in Chapter 44 of Title 54.1 a section numbered  
3 54.1-4425, relating to the Board of Accountancy; time for filing complaints.

4 [H 1959]

5 Approved

6 Be it enacted by the General Assembly of Virginia:

7 1. That the Code of Virginia is amended by adding in Chapter 44 of Title 54.1 a section  
8 numbered 54.1-4425 as follows:

9 § 54.1-4425. *Time for filing complaints against CPAs or CPA firms.*

10 A. Except as otherwise provided in subsections B and C, any complaint against a CPA or CPA firm  
11 for any violation of statutes or regulations pertaining to the Board or any of the programs that may be  
12 in another title of the Code for which the Board has enforcement responsibility, in order to be  
13 investigated by the Board, shall be made in writing, or otherwise made in accordance with Board  
14 procedures, and received by the Board within three years of the act, omission, or occurrence giving rise  
15 to the violation. Public information obtained from any source by the Executive Director or agency  
16 enforcement staff may serve as the basis for a written complaint against a CPA or CPA firm.

17 B. However, where a CPA or CPA firm has materially and willfully misrepresented, concealed, or  
18 omitted any information and the information so misrepresented, concealed, or omitted is material to the  
19 establishment of the violation, the complaint may be made at any time within two years after discovery  
20 of the misrepresentation, concealment, or omission.

21 C. In cases where criminal charges have been filed involving matters that, if found to be true, would  
22 also constitute a violation of the regulations or laws of the regulant's profession enforced by the Board,  
23 an investigation may be initiated by the Board at any time within two years following the date such  
24 criminal charges are filed.

25 D. Nothing in this section shall be construed to require the filing of a complaint if the alleged  
26 violation of the statute or regulation is discovered during an investigation authorized by law, and the  
27 acts, omissions, or conditions constituting the alleged violations are witnessed by a sworn investigator  
28 appointed by the Executive Director.

29 E. Nothing herein shall deny the right of any party to bring a civil cause of action in a court of law.

ENROLLED

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