

Amendment No. 03 (for drafter's use only)

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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ORIGINAL STAMP BELOW

11 The Committee on Law Enforcement & Public Safety offered the
12 following:

14 **Amendment (with title amendment)**

15 On page 3, line 1, of the bill

17 insert:

18 (b) If the appropriate law enforcement agency supplies
19 the appropriate software and the pawnbroker presently has the
20 computer ability, pawn transactions shall be electronically
21 transferred. If a pawnbroker does not presently have the
22 computer ability, the appropriate law enforcement agency may
23 provide the pawnbroker with a computer and all necessary
24 equipment for the purpose of electronically transferring pawn
25 transactions. The appropriate law enforcement agency shall
26 retain ownership of the computer, unless otherwise agreed
27 upon. The pawnbroker shall maintain the computer in good
28 working order, ordinary wear and tear excepted. In the event
29 the pawnbroker transfers pawn transactions electronically, the
30 pawnbroker is not required to also deliver to the appropriate
31 law enforcement official the original or copies of the

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1 pawnbroker transaction forms. The appropriate law enforcement
2 official may, for the purposes of a criminal investigation,
3 request that the pawnbroker produce an original of a
4 transaction form that has been electronically transferred. The
5 pawnbroker shall deliver this form to the appropriate law
6 enforcement official within 24 hours of the request.

7 (c) There shall be a statewide system for collecting
8 and accessing pawnshop ticket and second-hand dealer
9 information as defined in Chapters 538 and 539, Florida
10 Statutes. The system shall be administered by the Florida
11 Sheriffs' Association Statewide Task Force, which shall
12 include the database known as the Florida Sheriffs' Property
13 Recovery Database. This database shall be the officially
14 recognized statewide database for all pawnshop ticket and
15 second-hand dealer information for which collection is
16 required by law.

17 1. Any law enforcement official who is authorized by
18 law, and who meets the requirements established by and is
19 approved by the Florida Sheriffs' Association Statewide Task
20 Force, shall have access to the Florida Sheriffs' Property
21 Recovery Database, in a manner prescribed by the Florida
22 Sheriffs' Association Statewide Task Force.

23 2. In order to establish a more efficient and
24 effective system, the Sheriffs, which includes the Director of
25 Public Safety in Dade County, as the chief law enforcement
26 officers of their respective counties, shall be designated as
27 the central repository agencies for all pawnshop ticket and
28 second-hand dealer information collected in their counties.
29 Any other law enforcement agency collecting this information
30 shall deliver the information, once collected, to the Sheriff
31 of the county in which it is collected, which includes the

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1 Director of Public Safety in Dade County, in a manner
2 prescribed by the Florida Sheriffs' Association Statewide Task
3 Force. Upon receiving the information the Sheriffs, which
4 includes the Director of Public Safety in Dade County, shall
5 cause the information to be transferred to the Florida
6 Sheriffs' Property Recovery Database by electronic
7 transmission or by other means approved by the Florida
8 Sheriffs' Association Statewide Task Force.

9 3. The Florida Sheriffs' Property Recovery Database
10 may be accessed through "FLASH," the Florida Sheriffs'
11 Statewide Computer Networking System, or through any other
12 avenue approved by the Florida Sheriffs' Association Statewide
13 Task Force.

14 4. The Florida Sheriffs' Association Statewide Task
15 Force shall establish the standards and requirements for
16 transmitting and transferring the information into the
17 statewide system and access approval and fees.

18 (d)(e) All goods delivered to a pawnbroker in a pawn
19 or purchase transaction must be securely stored and maintained
20 in an unaltered condition within the jurisdiction of the
21 appropriate law enforcement official for a period of 30
22 calendar days after the transaction. Those goods delivered to
23 a pawnbroker in a purchase transaction may not be sold or
24 otherwise disposed of before the expiration of such period.
25 The pawnbroker shall make all pledged and purchased goods and
26 all records relating to such goods available for inspection by
27 the appropriate law enforcement official during normal
28 business hours throughout such period. The pawnbroker must
29 store and maintain pledged goods for the period prescribed in
30 subsection (10) unless the pledged goods are redeemed earlier;
31 provided, however, that within the first 30 days after the

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1 original pawn, the pledged goods may be redeemed only by the
2 pledgor or the pledgor's attorney in fact.

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5 ===== T I T L E A M E N D M E N T =====

6 And the title is amended as follows:

7 On page 1, line 13, after the semicolon,

8

9 insert: providing for a statewide system for collecting and
10 accessing pawnshop ticket and second-hand dealer information;
11 designating the Florida Sheriffs' Association Statewide Task
12 Force as administrator of the system ; providing authorized
13 law enforcement officials access to the database; designating
14 the Sheriffs' offices as central repositories responsible for
15 the transfer of information to the statewide database;

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