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Bill No. CS/CS/HB 555

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

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

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Representative(s) Bloom offered the following:

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Amendment (with title amendment)

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Remove from the bill: Everything after the enacting clause

15

and insert in lieu thereof:

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Section 1. Subsections (2), (8), (9), and (16), paragraph (a) of subsection (7), paragraph (b) of subsection (11), and paragraphs (b), (l), and (m) of subsection (12) of section 539.001, Florida Statutes, are amended to read:

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539.001 The Florida Pawnbroking Act.--

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(2) DEFINITIONS.--As used in this section, the term:

23

(a) "Agency" means the Division of Consumer Services of the Department of Agriculture and Consumer Services.

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(b) "Amount financed" is used interchangeably to mean "amount of money advanced" or "principal amount."

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(c)~~(b)~~ "Appropriate law enforcement official" means the sheriff of the county in which a pawnshop is located or, in case of a pawnshop located within a municipality, the police chief of the municipality in which the pawnshop is located; however, any sheriff or police chief may designate as

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1 the appropriate law enforcement official for the county or
2 municipality, as applicable, any law enforcement officer
3 working within the county or municipality headed by that
4 sheriff or police chief. Nothing in this subsection limits the
5 power and responsibilities of the sheriff.

6 (d)~~(e)~~ "Claimant" means a person who claims that his
7 or her property was misappropriated.

8 (e)~~(d)~~ "Conveying customer" means a person who
9 delivers property into the custody of a pawnbroker, either by
10 pawn, sale, consignment, or trade.

11 (f)~~(e)~~ "Identification" means a government-issued
12 photographic identification or an electronic image taken from
13 a government-issued photographic identification.

14 (g)~~(f)~~ "Misappropriated" means stolen, embezzled,
15 converted, or otherwise wrongfully appropriated against the
16 will of the rightful owner.

17 (h)~~(g)~~ "Net worth" means total assets less total
18 liabilities.

19 (i)~~(h)~~ "Pawn" means any advancement of funds on the
20 security of pledged goods on condition that the pledged goods
21 are left in the possession of the pawnbroker for the duration
22 of the pawn and may be redeemed by the pledgor on the terms
23 and conditions contained in this section.

24 (j)~~(i)~~ "Pawnbroker" means any person who is engaged in
25 the business of making pawns; who makes a public display
26 containing the term "pawn," "pawnbroker," or "pawnshop" or any
27 derivative thereof; or who publicly displays a sign or symbol
28 historically identified with pawns. A pawnbroker may also
29 engage in the business of purchasing goods which includes
30 consignment and trade.

31 (k)~~(j)~~ "Pawnbroker transaction form" means the

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1 instrument on which a pawnbroker records pawns and purchases
2 as provided in subsection (8).

3 (l)~~(k)~~ "Pawn service charge" means a charge for
4 investigating the title, storage, and insuring of the
5 security; closing the transaction; making daily reports to
6 appropriate law enforcement officials; expenses and losses;
7 and all other services.

8 (m)~~(l)~~ "Pawnshop" means the location at which a
9 pawnbroker conducts business.

10 (n)~~(m)~~ "Permitted vendor" means a vendor who furnishes
11 a pawnbroker with an invoice specifying the vendor's name and
12 address, the date of the sale, a description of the items
13 sold, and the sales price, and who has an established place of
14 business, or, in the case of a secondhand dealer as defined in
15 s. 538.03, has represented in writing that such dealer has
16 complied with all applicable recordkeeping, reporting, and
17 retention requirements pertaining to goods sold or otherwise
18 delivered to a pawnbroker.

19 (o)~~(n)~~ "Person" means an individual, partnership,
20 corporation, joint venture, trust, association, or other legal
21 entity.

22 (p)~~(o)~~ "Pledged goods" means tangible personal
23 property that is deposited with, or otherwise delivered into
24 the possession of a pawnbroker in connection with a pawn.
25 "Pledged goods" does not include titles or any other form of
26 written security in tangible property in lieu of actual
27 physical possession, including, but not limited to, choses in
28 action, securities, printed evidence of indebtedness, or
29 certificates of title and other instruments evidencing title
30 to separate items of property, including motor vehicles. For
31 purposes of federal and state bankruptcy laws, a pledgor's

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1 interest in his or her pledged goods during the pendency of a
2 pawn is a right of redemption only.

3 (q)~~(p)~~ "Pledgor" means an individual who delivers
4 pledged goods into the possession of a pawnbroker in
5 connection with a pawn.

6 (r)~~(q)~~ "Purchase" means the transfer and delivery of
7 goods, by a person other than a permitted vendor, to a
8 pawnbroker by acquisition for value, consignment, or trade for
9 other goods.

10 (s)~~(r)~~ "Amount financed" is used interchangeably to
11 mean the same as "amount of money advanced" or "principal
12 amount".

13 (t)~~(s)~~ "Default date" means that date upon which the
14 pledgor's right of redemption expires and absolute right,
15 title, and interest in and to the pledged goods shall vest in
16 and shall be deemed conveyed to the pawnbroker by operation of
17 law.

18 (u)~~(t)~~ "Beneficial owner" means a person who does not
19 have title to property but has rights in the property which
20 are the normal incident of owning the property.

21 (v)~~(u)~~ "Operator" means a person who has charge of a
22 corporation or company and has control of its business, or of
23 its branch establishments, divisions, or departments, and who
24 is vested with a certain amount of discretion and independent
25 judgment.

26 (7) ORDERS IMPOSING PENALTIES.--

27 (a) The agency may enter an order imposing one or more
28 of the penalties set forth in paragraph (b) if the agency
29 finds that a pawnbroker:

- 30 1. Violated or is operating in violation of any of the
31 provisions of this section or of the rules adopted or orders

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1 issued thereunder;

2 2. Made a material false statement in any application,
3 document, or record required to be submitted or retained under
4 this section;

5 3. Refused or failed, or any of its principal officers
6 has refused or failed, after notice, to produce any document
7 or records or disclose any information required to be produced
8 or disclosed under this section or the rules of the agency;

9 4. Made a material false statement in response to any
10 request or investigation by the agency, the Department of
11 Legal Affairs, or the state attorney; or

12 5. Has ~~intentionally~~ defrauded the public through
13 dishonest or deceptive means.

14 (8) PAWNBROKER TRANSACTION FORM.--

15 (a) At the time the pawnbroker enters into any pawn or
16 purchase transaction, the pawnbroker shall complete a
17 pawnbroker transaction form for such transaction, including an
18 indication of whether the transaction is a pawn or a purchase,
19 and the pledgor or seller shall sign such completed form. The
20 agency must approve the design and format of the pawnbroker
21 transaction form, which must be 8 1/2 inches x 11 inches in
22 size and elicit the information required under this section.
23 In completing the pawnbroker transaction form, the pawnbroker
24 shall record the following information, which must be typed or
25 printed in black ink ~~written~~ indelibly and legibly in English.

26 (b) The front of the pawnbroker transaction form must
27 include:

28 1. The name and address of the pawnshop.

29 2. A complete and accurate printed description of the
30 pledged goods or purchased goods, notwithstanding product
31 identification letter codes imprinted on the form, including

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1 the following information, if applicable:

- 2 a. Brand name.
- 3 b. Model number.
- 4 c. Manufacturer's serial number.
- 5 d. Size.
- 6 e. Color, as apparent to the untrained eye.
- 7 f. Precious metal type, weight, and content, if known.
- 8 g. Gemstone description, including the number of
- 9 stones.
- 10 h. In the case of firearms, the type of action,
- 11 caliber or gauge, number of barrels, barrel length, and
- 12 finish.
- 13 i. Any other unique identifying marks, numbers, names,
- 14 or letters.

15
16 Notwithstanding sub-subparagraphs a.-i., in the case of
17 multiple items of a similar nature delivered together in one
18 transaction which do not bear serial or model numbers and
19 which do not include precious metal or gemstones, such as
20 musical or video recordings, books, and hand tools, the
21 description of the items is adequate if it contains the
22 quantity of items and a description of the type of items
23 delivered.

24 3. The name, the current address, home telephone
25 number, and place of employment, the date of birth, a physical
26 description, and a substantial likeness of the right
27 thumbprint of the pledgor or seller.

28 4. The date and time of the transaction.

29 5. The type of identification accepted from the
30 pledgor or seller, including the issuing agency and the
31 identification number.

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- 1 6. In the case of a pawn:
- 2 a. The amount of money advanced, which must be
- 3 designated as the amount financed;
- 4 b. The maturity date of the pawn, which must be 30
- 5 days after the date of the pawn;
- 6 c. The last default date of redemption of the pawn and
- 7 the amount due on the last default date of redemption;
- 8 d. The total pawn service charge payable on the
- 9 maturity date, which must be designated as the finance charge;
- 10 e. The amount financed plus the finance charge that
- 11 must be paid to redeem the pledged goods on the maturity date,
- 12 which must be designated as the total of payments;
- 13 f. The annual percentage rate, computed according to
- 14 the regulations adopted by the Federal Reserve Board under the
- 15 federal Truth in Lending Act; and
- 16 g. The front or back of the pawnbroker transaction
- 17 form must include a statement that:
- 18 (I) Any personal property pledged to a pawnbroker
- 19 within this state which is not redeemed within 30 days
- 20 following the maturity date of the pawn, if the 30th day is
- 21 not a business day, then the following business day, is
- 22 automatically forfeited to the pawnbroker, and absolute right,
- 23 title, and interest in and to the property vests in and is
- 24 deemed conveyed to the pawnbroker by operation of law, and no
- 25 further notice is necessary;
- 26 (II) The pledgor is not obligated to redeem the
- 27 pledged goods; and
- 28 (III) If the pawnbroker transaction form is lost,
- 29 destroyed, or stolen, the pledgor must immediately advise the
- 30 issuing pawnbroker in writing by certified or registered mail,
- 31 return receipt requested, or in person evidenced by a signed

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1 receipt.

2 (IV) A pawn may be extended upon mutual agreement of
3 the parties.

4 7. In the case of a purchase, the amount of money paid
5 for the goods or the monetary value assigned to the goods in
6 connection with the transaction.

7 8. A statement that the pledgor or seller of the item
8 represents and warrants that it is not stolen, that it has no
9 liens or encumbrances against it, and that the pledgor or
10 seller is the rightful owner of the goods and has the right to
11 enter into the transaction.

12 9. The name, initials, or employee identification
13 number of the clerk completing the transaction form.

14
15 Any person who knowingly gives false verification of ownership
16 or gives a false or altered identification and who receives
17 money from a pawnbroker for goods sold or pledged commits:

18 a. If the value of the money received is less than
19 \$300, a felony of the third degree, punishable as provided in
20 s. 775.082, s. 775.083, or s. 775.084.

21 b. If the value of the money received is \$300 or more,
22 a felony of the second degree, punishable as provided in s.
23 775.082, s. 775.083, or s. 775.084.

24 (9) RECORDKEEPING; REPORTING; HOLD PERIOD.--

25 (a) A pawnbroker must maintain a copy of each
26 completed pawnbroker transaction form on the pawnshop premises
27 for at least 1 year after the date of the transaction. On or
28 before the end of each business day, the pawnbroker must
29 deliver to the appropriate law enforcement official the
30 original pawnbroker transaction forms for each of the
31 transactions occurring during the previous business day,

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1 unless other arrangements have been agreed upon between the
2 pawnbroker and the appropriate law enforcement official. The
3 sheriff, as chief law enforcement officer of the county, or
4 the director of the department of public safety when there is
5 no sheriff, is designated as the central repository for copies
6 of all pawnbroker transaction forms collected by the
7 appropriate law enforcement official in the county. Upon
8 request by the sheriff or public safety director, the
9 appropriate law enforcement official shall submit a copy of
10 each pawnbroker transaction form to the sheriff or public
11 safety director within a time and in such form as is
12 determined by the sheriff or public safety director after
13 consultation with the appropriate law enforcement official. If
14 the original transaction form is lost or destroyed by the
15 appropriate law enforcement official, a copy may be used by
16 the pawnbroker as evidence in court. When an electronic image
17 of a pledgor or seller identification is accepted for a
18 transaction, the pawnbroker must maintain the electronic image
19 in order to meet the same recordkeeping requirements as for
20 the original transaction form. If a criminal investigation
21 occurs, the pawnbroker shall, upon request, provide a clear
22 and legible copy of the image to the appropriate law
23 enforcement official.

24 (b) If the appropriate law enforcement agency supplies
25 the appropriate software and the pawnbroker presently has the
26 computer ability, pawn transactions shall be electronically
27 transferred. If a pawnbroker does not presently have the
28 computer ability, the appropriate law enforcement agency may
29 provide the pawnbroker with a computer and all necessary
30 equipment for the purpose of electronically transferring pawn
31 transactions. The appropriate law enforcement agency shall

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1 retain ownership of the computer, unless otherwise agreed
2 upon. The pawnbroker shall maintain the computer in good
3 working order, ordinary wear and tear excepted. These
4 computerized records must provide for the export of pawn
5 transaction data in the file format and manner specified by
6 the sheriff for inclusion in the statewide database.In the
7 event the pawnbroker transfers pawn transactions
8 electronically, the pawnbroker is not required to also deliver
9 to the appropriate law enforcement official the original or
10 copies of the pawnbroker transaction forms. For audit
11 purposes, the appropriate law enforcement official may
12 manually collect the original or a copy of the completed
13 transaction forms for review, with those forms being returned
14 to the pawnbroker within 15 business days.The appropriate law
15 enforcement official may, for the purposes of a criminal
16 investigation, request that the pawnbroker produce an original
17 of a transaction form that has been electronically
18 transferred. The pawnbroker shall deliver this form to the
19 appropriate law enforcement official within 24 hours of the
20 request.

21 (c) There shall be a statewide system for collecting
22 and accessing pawnshop ticket and second-hand dealer
23 information as defined in chapters 538 and 539. The system
24 shall be administered by the sheriffs and shall include the
25 database known as the Florida Sheriffs' Property Recovery
26 Database. This database shall be the officially recognized
27 statewide database for all pawnshop ticket and second-hand
28 dealer information for which collection is required by law.

29 1. Any law enforcement official who is authorized by
30 law, and who meets the requirements established by and is
31 approved by the sheriffs shall have access to the Florida

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1 Sheriffs' Property Recovery Database, in a manner prescribed
2 by the sheriffs.

3 2. In order to establish a more efficient and
4 effective system, the sheriffs, which includes the Director of
5 Public Safety in Dade County, as the chief law enforcement
6 officers of their respective counties, shall be designated as
7 the central repository agencies for all pawnshop ticket and
8 second-hand dealer information collected in their counties.
9 Any other law enforcement agency collecting this information
10 shall deliver the information, once collected, to the sheriff
11 of the county in which it is collected, which includes the
12 Director of Public Safety in Miami-Dade County, in a manner
13 prescribed by the sheriffs. Upon receiving the information
14 the sheriffs, which includes the Director of Public Safety in
15 Miami-Dade County, shall cause the information to be
16 transferred to the Florida Sheriffs' Property Recovery
17 Database by electronic transmission or by other means approved
18 by the sheriffs.

19 3. The Florida Sheriffs' Property Recovery Database
20 may be accessed through "FLASH," the Florida Sheriffs'
21 Statewide Computer Networking System, or through any other
22 avenue approved by the sheriffs. Any costs or fees incurred or
23 to be incurred by the Florida Department of Law Enforcement or
24 the Florida police chiefs must be approved by the Department
25 of Law Enforcement and the Florida Police Chiefs' Association
26 jointly. No costs or fees shall be assessed to law enforcement
27 agencies within this state to access the Florida Sheriffs'
28 Property Recovery Database. Data that are supplied to the
29 sheriffs may not be sold to private entities.

30 4. The sheriffs, in consultation with the Florida
31 Police Chiefs' Association and the Department of Law

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1 Enforcement, shall establish the standards and requirements
2 for transmitting and transferring the information into the
3 statewide system and access approval.

4 5. Routine automated queries of the FCIC/NCIC system
5 by the Florida Sheriffs' Property Recovery Database within the
6 statewide computer system shall be limited to queries
7 regarding stolen property.

8 (d)(c) All goods delivered to a pawnbroker in a pawn
9 or purchase transaction must be securely stored and maintained
10 in an unaltered condition within the jurisdiction of the
11 appropriate law enforcement official for a period of 30
12 calendar days after the transaction. Those goods delivered to
13 a pawnbroker in a purchase transaction may not be sold or
14 otherwise disposed of before the expiration of such period.
15 ~~The pawnbroker shall make all pledged and purchased goods and~~
16 ~~all records relating to such goods available for inspection by~~
17 ~~the appropriate law enforcement official during normal~~
18 ~~business hours throughout such period.~~The pawnbroker must
19 store and maintain pledged goods for the period prescribed in
20 subsection (10) unless the pledged goods are redeemed earlier;
21 provided, however, that within the first 30 days after the
22 original pawn, the pledged goods may be redeemed only by the
23 pledgor or the pledgor's attorney in fact.

24 (11) PAWN SERVICE CHARGES.--

25 (b) The default date of any pawn may be extended to a
26 subsequent date by mutual agreement, between the pledgor and
27 the pawnbroker except the pawnbroker may not impose a minimum
28 duration of more than 30 days, evidenced by a written
29 memorandum, a copy of which must be supplied to the pledgor,
30 which must clearly specify the new default date, and the pawn
31 service charges owed on the new default date. In this event,

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1 the daily pawn service charge for the extension shall be equal
2 to the pawn service charge for the original 30-day period
3 divided by 30 days (i.e., one-thirtieth of the original total
4 pawn service charge). There is no limit on the number of
5 extensions that the parties may agree to.

6 (12) PROHIBITED ACTS.--A pawnbroker, or an employee or
7 agent of a pawnbroker, may not:

8 (b) Refuse to allow the agency, the appropriate law
9 enforcement official, or the state attorney, or any of their
10 designated representatives having jurisdiction, to inspect
11 completed pawnbroker transaction forms or any record
12 pertaining to such transactions, including computer records,
13 or pledged or purchased goods during the ordinary hours of the
14 pawnbroker's business or other time acceptable to both
15 parties. Upon request of the alleged owner or claimant of the
16 disputed property, the appropriate law enforcement official
17 shall disclose to a claimant or alleged owner the name and
18 address of the pawnbroker, the name and address of the
19 conveying customer, and a description of disputed property
20 that has been pawned, purchased, or consigned goods that the
21 claimant claims to be misappropriated. Any locations other
22 than the licensed location used for storage must be disclosed
23 to the law enforcement officer.

24 (1) Operate a pawnshop between the hours of 10 p.m.
25 and 7 a.m.

26 (m) Knowingly hire anyone to work in a pawnshop who
27 has been convicted of, or entered a plea of guilty or nolo
28 contendere to, or had adjudication withheld for a felony
29 within the last 5 years, or been convicted of, or entered a
30 plea of guilty or nolo contendere to, or had adjudication
31 withheld for a crime within the last 5 years which involves

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1 theft, larceny, dealing in stolen property, receiving stolen
2 property, burglary, embezzlement, obtaining property by false
3 pretenses, possession of altered property, or any fraudulent,
4 or dishonest dealing.

5 (16) HOLD ORDERS; ISSUANCE; REQUIRED INFORMATION;
6 PROCEDURES.--

7 (a) When an appropriate law enforcement official in
8 this state has probable cause to believe that property in the
9 possession of a pawnbroker is misappropriated, the official
10 may place a written hold order on the property. The written
11 hold order shall impose a holding period not to exceed 120 ~~90~~
12 days unless extended by court order. The appropriate law
13 enforcement official in this state may rescind, in writing,
14 any hold order. An appropriate law enforcement official may
15 place only one hold order on property.

16 (b) Upon the expiration of the holding period, the
17 pawnbroker shall notify, in writing, a ~~the appropriate~~ law
18 enforcement official in this state by certified mail, return
19 receipt requested, that the holding period has expired. If,
20 on the 10th day after the written notice has been received by
21 a ~~the appropriate~~ law enforcement official in this state, the
22 pawnbroker has not received from a court an extension of the
23 hold order on the property and the property is not the subject
24 of a proceeding under subsection (15), title to the property
25 shall vest in and be deemed conveyed by operation of law to
26 the pawnbroker, free of any liability for claims but subject
27 to any restrictions contained in the pawn transaction contract
28 and subject to the provisions of this section.

29 (c) A hold order must specify:

- 30 1. The name and address of the pawnbroker.
31 2. The name, title, and identification number of the

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1 representative of the appropriate law enforcement official or
2 the court placing the hold order.

3 3. If applicable, the name and address of the
4 ~~appropriate~~ law enforcement official in this state or court to
5 which such representative is attached and the number, if any,
6 assigned to the claim regarding the property.

7 4. A complete description of the property to be held,
8 including model number and serial number if applicable.

9 5. The name of the person reporting the property to be
10 misappropriated unless otherwise prohibited by law.

11 6. The mailing address of the pawnbroker where the
12 property is held.

13 7. The expiration date of the holding period.

14 (d) The pawnbroker or the pawnbroker's representative
15 must sign and date a copy of the hold order as evidence of
16 receipt of the hold order and the beginning of the 90-day
17 holding period.

18 (e)1. Except as provided in subparagraph 2., a
19 pawnbroker may not release or dispose of property subject to a
20 hold order except pursuant to a court order, a written release
21 from a the appropriate law enforcement official in this state,
22 or the expiration of the holding period of the hold order.

23 2. While a hold order is in effect, the pawnbroker
24 must upon request release the property subject to the hold
25 order to the custody of the appropriate law enforcement
26 official in this state for use in a criminal investigation.
27 The release of the property to the custody of the appropriate
28 law enforcement official in this state is not considered a
29 waiver or release of the pawnbroker's property rights or
30 interest in the property. Upon completion of the criminal
31 proceeding, the property must be returned to the pawnbroker

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1 unless the court orders other disposition. When such other
2 disposition is ordered, the court shall additionally order the
3 conveying customer to pay restitution to the pawnbroker in the
4 amount received by the conveying customer for the property
5 together with reasonable attorney's fees and costs.

6 Section 2. Subsection (1) of section 539.003, Florida
7 Statutes, is amended to read:

8 539.003 Confidentiality.--

9 (1) All records relating to pawnbroker transactions
10 delivered to appropriate law enforcement officials pursuant to
11 s. 539.001 are confidential and exempt from the provisions of
12 s. 119.07(1) and s. 24(a), Art. I of the State Constitution
13 and may be used only for official law enforcement purposes.
14 This section does not prohibit the disclosure by the
15 appropriate law enforcement officials of the name and address
16 of the pawnbroker, the name and address of the conveying
17 customer, or a description of pawned, purchased, or conveyed
18 property to the alleged owner of pawned property.

19 Section 3. Present subsections (3), (4), and (5) of
20 section 538.04, Florida Statutes, 1998 Supplement, are
21 redesignated as subsections (4), (5), and (6), respectively,
22 and a new subsection (3) is added to that section to read:

23 538.04 Recordkeeping requirements; penalties.--

24 (3) If the appropriate law enforcement agency supplies
25 the appropriate software and the secondhand dealer presently
26 has computer capability, transactions of secondhand goods
27 shall be electronically transferred. If a secondhand dealer
28 does not presently have computer capability, the appropriate
29 law enforcement agency may provide the secondhand dealer with
30 a computer and all necessary equipment for the purpose of
31 electronically transferring transactions of secondhand goods.

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1 The appropriate law enforcement agency shall retain ownership
 2 of the computer, unless otherwise agreed upon. The secondhand
 3 dealer shall maintain the computer in good working order,
 4 ordinary wear and tear excepted. In the event the secondhand
 5 dealer transfers transactions of secondhand goods
 6 electronically, the secondhand dealer is not also required to
 7 deliver to the appropriate law enforcement official the
 8 original or copies of the secondhand goods transaction forms.
 9 The appropriate law enforcement official may, for the purposes
 10 of a criminal investigation, request that the secondhand
 11 dealer produce an original of a transaction form that has been
 12 electronically transferred. The secondhand dealer shall
 13 deliver this form to the appropriate law enforcement official
 14 within 24 hours of the request.

15 Section 4. If any provision of this act or the
 16 application thereof to any person or circumstance is held
 17 invalid, the invalidity does not affect other provisions or
 18 applications of the act which can be given effect without the
 19 invalid provision or application, and to this end the
 20 provisions of this act are declared severable.

21 Section 5. This act shall take effect upon becoming a
 22 law.

23
24

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

26 And the title is amended as follows:
 27 remove from the title of the bill: the entire title
 28
 29 and insert in lieu thereof:

30 A bill to be entitled
 31 An act relating to pawnbroking, secondhand

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1 dealers, and stolen property; amending s.
2 539.001, F.S.; defining terms; modifying
3 findings required of the Division of Consumer
4 Services of the Department of Agriculture and
5 Consumer Services for orders imposing
6 penalties; requiring approval of pawnbroker
7 transaction forms; revising content of such
8 forms; revising recordkeeping requirements for
9 pawnbrokers to provide that the sheriff or the
10 director of the department of public safety is
11 designated as the central repository for copies
12 of all pawnbroker transaction forms collected
13 by law enforcement officials; providing for
14 submission of pawnbroker transaction forms to
15 the sheriff or public safety director upon
16 request; requiring pawnbrokers to computerize
17 their records by a specified date; providing
18 for a statewide system for collecting and
19 accessing pawnshop ticket and second-hand
20 dealer information; designating the sheriffs as
21 administrators of the system; providing
22 authorized law enforcement officials access to
23 the database; designating the sheriffs' offices
24 as central repositories responsible for the
25 transfer of information to the statewide
26 database; providing that the sheriffs, in
27 consultation with the Florida Police Chiefs and
28 the Department of Law Enforcement, must
29 establish standards for transmitting
30 information into the statewide system;
31 providing for fees; limiting the scope of

hbd-06

Bill No. CS/CS/HB 555

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

1 certain database searches; prescribing certain
2 prohibited acts; modifying procedures for hold
3 orders; amending s. 539.003, F.S.; deleting an
4 exception to confidentiality of records of
5 pawnbroker transactions; amending s. 538.04,
6 F.S.; providing for electronic transfer of
7 transactions of secondhand goods; authorizing
8 law enforcement agencies to provide a
9 secondhand dealer with a computer and necessary
10 equipment for the electronic transfer of
11 transactions of secondhand goods; providing
12 procedures with respect to the electronic
13 transfer of transactions of secondhand goods;
14 providing for severability; providing an
15 effective date.

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