

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/CS/HB 139](#)

**TITLE:** Pawn Broker Transaction Forms

**SPONSOR(S):** López, J.

**COMPANION BILL:** [CS/SB 678](#) (Truenow)

**LINKED BILLS:** None

**RELATED BILLS:** None

## Committee References

[Industries & Professional  
Activities](#)

15 Y, 0 N, As CS



[Criminal Justice](#)

17 Y, 0 N, As CS



[Commerce](#)

19 Y, 0 N

## SUMMARY

### **Effect of the Bill:**

The bill provides that a pawnbroker transaction form used to record pawns and purchases may be in digital or print format instead of only print.

### **Fiscal or Economic Impact:**

The bill may have a positive fiscal impact on pawnbrokers by providing them the option to use digital pawnbroker transaction forms.

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## ANALYSIS

### **EFFECT OF THE BILL:**

The bill provides that the [pawnbroker transaction form](#), which is approved by the [Department of Agriculture and Consumer Services](#) and is used to record pawns and purchases by [pawnbrokers](#), may be in digital or print format instead of only print format. (Section [1](#))

Digital pawnbroker transaction forms must have a minimum font size of 12 points, and information required to be on the front or back of the printed form must be on the first or second page of the digital form. (Section [1](#))

The bill provides an effective date of July 1, 2025. (Section [2](#))

## RELEVANT INFORMATION

### **SUBJECT OVERVIEW:**

[Department of Agriculture and Consumer Services](#)

The mission of the Department of Agriculture and Consumer Services (“DACs”) is to support and promote Florida’s agriculture, protect the environment, safeguard consumers, and ensure the safety and wholesomeness of food.<sup>1</sup>

The Division of Consumer Services within DACs is responsible for protecting the public from unfair and unsafe business practices and regulating various businesses such as motor vehicle repair shops, charitable organizations, pawnbrokers, health studios, sellers of travel, intrastate movers, professional surveyors and mappers, sweepstakes/game promotions and telemarketers.<sup>2</sup>

<sup>1</sup> DACs, [About Us](#), (last visited Mar. 19, 2025).

<sup>2</sup> DACs, [Division of Consumer Services](#), (last visited Mar. 19, 2025).

**STORAGE NAME:** h0139e.COM

**DATE:** 3/31/2025

## [Pawnbrokers](#)

A pawnbroker is any person who advances funds to a person who pledges goods as collateral for the funds. The person pledging the goods (“pledger”) may reclaim the goods after repaying the funds, interest, and pawn service charge by the maturity date of the pawn, which must be 30 days after the date of the pawn. If the pledger fails to repay the required funds, then the pledged goods are forfeited to the pawnbroker 30 days after the maturity date.<sup>3</sup>

Chapter 539, Florida Statutes, the Florida Pawnbroking Act, regulates pawnbrokers in the state of Florida. In order to be a pawnbroker, a person must be licensed by DACS.<sup>4</sup>

## [Pawnbroker Transaction Form](#)

A pawnbroker must complete a printed pawnbroker transaction form whenever they enter into a pawn or make a purchase from a seller. DACS approves the design and format of the transaction form, which must be 8.5 inches by 11 inches, written in English, indicate whether the transaction is a pawn or sale, and include the following on the **front** of the form:<sup>5</sup>

- Name and address of the pawnshop.
- A complete and accurate description of the pledged goods or purchased goods, including the following information, if applicable:
  - Brand name.
  - Model number.
  - Manufacturer’s serial number.
  - Size.
  - Color, as apparent to the untrained eye.
  - Precious metal type, weight, and content, if known.
  - Gemstone description, including the number of stones.
  - The type of action, caliber or gauge, number of barrels, barrel length, and finish if the transaction includes firearms.
  - Any other unique identifying marks, numbers, names, or letters.
- Name, address, home telephone number, place of employment, date of birth, physical description, signature, and right thumbprint of the pledgor or seller.
- Date and time of the transaction.
- Type of identification accepted from the pledgor or seller, including the issuing agency and the identification number.
- A statement that the pledgor or seller of the goods represents they are the rightful owner of the goods and they are not stolen and have no liens or encumbrances against them.

If the transaction is a pawn, the **front** of the pawnbroker transaction form must also include:<sup>6</sup>

- The amount of money advanced, designated as the amount financed;
- The maturity date of the pawn, which must be 30 days after the date of the pawn;
- The default date of the pawn and the amount due on the default date;
- The total pawn service charge owed on the maturity date, designated as the finance charge;
- The total payment to reclaim the goods, including the amount financed and the finance charge;
- The annual percentage rate; and
- A statement on the **front or back** that:
  - The pawned goods will be forfeited to the pawnbroker if they are not redeemed within 30 days after the maturity date of the pawn.
  - The pledgor is not obligated to redeem the pawned goods.
  - If the pawnbroker transaction form is lost, destroyed, or stolen, the pledgor must immediately advise the issuing pawnbroker in person or in writing by certified or registered mail.

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<sup>3</sup> S. [539.001, F.S.](#); National Pawnbrokers Association, [Pawn 101: The Basics](#), (last visited Mar. 19, 2025).

<sup>4</sup> [Ss. 539.001\(3\) and \(4\), F.S.](#)

<sup>5</sup> S. [539.001\(8\), F.S.](#)

<sup>6</sup> *Id.*

- The pawn may be extended upon mutual agreement of the parties.

If the transaction is a purchase by the pawnbroker, the **front** of the pawnbroker transaction form must include the amount of money paid for the goods or the monetary value assigned to the goods.<sup>7</sup>

*Recordkeeping for Pawnbroker Transaction Forms*

A pawnbroker must provide a pledgor or seller with a copy of a pawnbroker transaction form at the time of the pawn or sale. A pawnbroker must maintain a copy of the pawnbroker transaction form for at least one year from the date of the pawn or sale.<sup>8</sup>

Before the end of each business day, a pawnbroker must deliver the original pawnbroker transaction forms to the appropriate official for the local law enforcement agency<sup>9</sup> for all of the transactions during the previous business day unless other arrangements have been agreed upon by the pawnbroker and the appropriate local law enforcement agency.<sup>10</sup>

In lieu of physically delivering the original pawnbroker transaction forms, a local law enforcement agency may supply software to a pawnbroker so the pawnbroker may electronically transfer the transaction forms to the law enforcement agency. If a pawnbroker does not have a computer to use such software, the law enforcement agency may provide a computer to the pawnbroker. The law enforcement agency retains ownership of the computer, unless otherwise agreed upon. The pawnbroker must maintain the computer in good working order, ordinary wear and tear excepted.<sup>11</sup>

**BILL HISTORY**

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Industries &amp; Professional Activities Subcommittee</a>	15 Y, 0 N, As CS	3/6/2025	Anstead	Brackett
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> <li>• Provided a minimum font size for digital pawnbroker transaction forms.</li> <li>• Required information on the front or back of the printed pawnbroker transaction form to be on the first or second page of the digital form.</li> </ul>			
<a href="#">Criminal Justice Subcommittee</a>	17 Y, 0 N, As CS	3/19/2025	Hall	Butcher
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> <li>• Clarified that a pawnbroker may use either the printed or digital format of the pawnbroker transaction form.</li> </ul>			
<a href="#">Commerce Committee</a>	19 Y, 0 N	3/31/2025	Hamon	Brackett

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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<sup>7</sup> *Id.*  
<sup>8</sup> S. [539.001\(9\), F.S.](#)  
<sup>9</sup> The appropriate law enforcement official is 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. Any sheriff or police chief may designate any law enforcement officer working within the county or municipality as the appropriate law enforcement official. S. [539.001\(1\)\(b\), F.S.](#)  
<sup>10</sup> *Id.*  
<sup>11</sup> *Id.*