

1 A bill to be entitled  
2 An act relating to pawnbroker transaction forms;  
3 amending s. 539.001, F.S.; authorizing pawnbroker  
4 transaction forms to be in digital or printed formats;  
5 providing an effective date.  
6

7 Be It Enacted by the Legislature of the State of Florida:  
8

9 **Section 1. Paragraphs (a) and (b) of subsection (8) and**  
10 **paragraphs (a) and (b) of subsection (9) of section 539.001,**  
11 **Florida Statutes, are amended to read:**

12 539.001 The Florida Pawnbroking Act.—

13 (8) PAWNBROKER TRANSACTION FORM.—

14 (a) At the time the pawnbroker enters into any pawn or  
15 purchase transaction, the pawnbroker shall complete a pawnbroker  
16 transaction form for such transaction, including an indication  
17 of whether the transaction is a pawn or a purchase, and the  
18 pledgor or seller shall sign such completed form. The agency  
19 must approve the design and format of the pawnbroker transaction  
20 form, which must be 8 1/2 inches x 11 inches in size for printed  
21 forms and be in a font size of at least 12 points for digital  
22 forms and elicit the information required under this section in  
23 a digital or printed format. In completing the pawnbroker  
24 transaction form, the pawnbroker shall record the following  
25 information, which must be typed or written indelibly and

26 legibly in English.

27 (b) The front of a printed ~~the~~ pawnbroker transaction form  
28 and the first page of a digital form must include:

29 1. The name and address of the pawnshop.

30 2. A complete and accurate description of the pledged  
31 goods or purchased goods, including the following information,  
32 if applicable:

33 a. Brand name.

34 b. Model number.

35 c. Manufacturer's serial number.

36 d. Size.

37 e. Color, as apparent to the untrained eye.

38 f. Precious metal type, weight, and content, if known.

39 g. Gemstone description, including the number of stones.

40 h. In the case of firearms, the type of action, caliber or  
41 gauge, number of barrels, barrel length, and finish.

42 i. Any other unique identifying marks, numbers, names, or  
43 letters.

44  
45 Notwithstanding sub-subparagraphs a.-i., in the case of multiple  
46 items of a similar nature delivered together in one transaction  
47 which do not bear serial or model numbers and which do not  
48 include precious metal or gemstones, such as musical or video  
49 recordings, books, and hand tools, the description of the items  
50 is adequate if it contains the quantity of items and a

51 description of the type of items delivered.

52 3. The name, address, home telephone number, place of  
53 employment, date of birth, physical description, and right  
54 thumbprint of the pledgor or seller.

55 4. The date and time of the transaction.

56 5. The type of identification accepted from the pledgor or  
57 seller, including the issuing agency and the identification  
58 number.

59 6. In the case of a pawn:

60 a. The amount of money advanced, which must be designated  
61 as the amount financed;

62 b. The maturity date of the pawn, which must be 30 days  
63 after the date of the pawn;

64 c. The default date of the pawn and the amount due on the  
65 default date;

66 d. The total pawn service charge payable on the maturity  
67 date, which must be designated as the finance charge;

68 e. The amount financed plus the finance charge that must  
69 be paid to redeem the pledged goods on the maturity date, which  
70 must be designated as the total of payments;

71 f. The annual percentage rate, computed according to the  
72 regulations adopted by the Federal Reserve Board under the  
73 federal Truth in Lending Act; and

74 g. The front or back of a printed ~~the~~ pawnbroker  
75 transaction form and the first or second page of a digital

76 pawnbroker transaction form must include a statement that:

77 (I) Any personal property pledged to a pawnbroker within  
78 this state which is not redeemed within 30 days following the  
79 maturity date of the pawn, if the 30th day is not a business  
80 day, then the following business day, is automatically forfeited  
81 to the pawnbroker, and absolute right, title, and interest in  
82 and to the property vests in and is deemed conveyed to the  
83 pawnbroker by operation of law, and no further notice is  
84 necessary;

85 (II) The pledgor is not obligated to redeem the pledged  
86 goods; and

87 (III) If the pawnbroker transaction form is lost,  
88 destroyed, or stolen, the pledgor must immediately advise the  
89 issuing pawnbroker in writing by certified or registered mail,  
90 return receipt requested, or in person evidenced by a signed  
91 receipt.

92 (IV) A pawn may be extended upon mutual agreement of the  
93 parties.

94 7. In the case of a purchase, the amount of money paid for  
95 the goods or the monetary value assigned to the goods in  
96 connection with the transaction.

97 8. A statement that the pledgor or seller of the item  
98 represents and warrants that it is not stolen, that it has no  
99 liens or encumbrances against it, and that the pledgor or seller  
100 is the rightful owner of the goods and has the right to enter

101 into the transaction. Any person who knowingly gives false  
 102 verification of ownership or gives a false or altered  
 103 identification and who receives money from a pawnbroker for  
 104 goods sold or pledged commits:

105       a. If the value of the money received is less than \$300, a  
 106 felony of the third degree, punishable as provided in s.  
 107 775.082, s. 775.083, or s. 775.084.

108       b. If the value of the money received is \$300 or more, a  
 109 felony of the second degree, punishable as provided in s.  
 110 775.082, s. 775.083, or s. 775.084.

111       (9) RECORDKEEPING; REPORTING; HOLD PERIOD.—

112       (a) A pawnbroker must maintain a copy of each completed  
 113 pawnbroker transaction form on the pawnshop premises for at  
 114 least 1 year after the date of the transaction. On or before the  
 115 end of each business day, the pawnbroker must deliver to the  
 116 appropriate law enforcement official the original printed  
 117 pawnbroker transaction forms or printed copies of the digital  
 118 pawnbroker transaction forms for each of the transactions  
 119 occurring during the previous business day, unless other  
 120 arrangements have been agreed upon between the pawnbroker and  
 121 the appropriate law enforcement official. If an ~~the~~ original  
 122 printed transaction form is lost or destroyed by the appropriate  
 123 law enforcement official, a copy may be used by the pawnbroker  
 124 as evidence in court. When an electronic image of a pledgor or  
 125 seller identification is accepted for a transaction, the

126 | pawnbroker must maintain the electronic image in order to meet  
127 | the same recordkeeping requirements as for the original printed  
128 | transaction form. If a criminal investigation occurs, the  
129 | pawnbroker shall, upon request, provide a clear and legible copy  
130 | of the image to the appropriate law enforcement official.

131 |         (b) If the appropriate law enforcement agency supplies the  
132 | appropriate software and the pawnbroker presently has the  
133 | computer ability, pawn transactions shall be electronically  
134 | transferred. If a pawnbroker does not presently have the  
135 | computer ability, the appropriate law enforcement agency may  
136 | provide the pawnbroker with a computer and all necessary  
137 | equipment for the purpose of electronically transferring pawn  
138 | transactions. The appropriate law enforcement agency shall  
139 | retain ownership of the computer, unless otherwise agreed upon.  
140 | The pawnbroker shall maintain the computer in good working  
141 | order, ordinary wear and tear excepted. In the event the  
142 | pawnbroker transfers pawn transactions electronically, the  
143 | pawnbroker is not required to also deliver to the appropriate  
144 | law enforcement official the original or copies of the  
145 | pawnbroker transaction forms. The appropriate law enforcement  
146 | official may, for the purposes of a criminal investigation,  
147 | request that the pawnbroker produce an original of a printed  
148 | transaction form that has been electronically transferred. The  
149 | pawnbroker shall deliver this form to the appropriate law  
150 | enforcement official within 24 hours of the request.

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**Section 2.** This act shall take effect July 1, 2025.