

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:
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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. The pawnbroker may use either
 24 format of the pawnbroker transaction form. In completing the
 25 pawnbroker transaction form, the pawnbroker shall record the

26 following information, which must be typed or written indelibly
27 and legibly in English.

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

- 30 1. The name and address of the pawnshop.
- 31 2. A complete and accurate description of the pledged
32 goods or purchased goods, including the following information,
33 if applicable:
 - 34 a. Brand name.
 - 35 b. Model number.
 - 36 c. Manufacturer's serial number.
 - 37 d. Size.
 - 38 e. Color, as apparent to the untrained eye.
 - 39 f. Precious metal type, weight, and content, if known.
 - 40 g. Gemstone description, including the number of stones.
 - 41 h. In the case of firearms, the type of action, caliber or
42 gauge, number of barrels, barrel length, and finish.
 - 43 i. Any other unique identifying marks, numbers, names, or
44 letters.

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

51 is adequate if it contains the quantity of items and a
52 description of the type of items delivered.

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

56 4. The date and time of the transaction.

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

60 6. In the case of a pawn:

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

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

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

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

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

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

75 g. The front or back of a printed ~~the~~ pawnbroker

76 transaction form and the first or second page of a digital
77 pawnbroker transaction form must include a statement that:

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

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

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

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

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

98 8. A statement that the pledgor or seller of the item
99 represents and warrants that it is not stolen, that it has no
100 liens or encumbrances against it, and that the pledgor or seller

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

106 a. If the value of the money received is less than \$300, a
107 felony of the third degree, punishable as provided in s.
108 775.082, s. 775.083, or s. 775.084.

109 b. If the value of the money received is \$300 or more, a
110 felony of the second degree, punishable as provided in s.
111 775.082, s. 775.083, or s. 775.084.

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

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

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

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

151 enforcement official within 24 hours of the request.

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