

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/HB 1345](#)

TITLE: Statewide Data Sharing of Secondhand Dealer, Secondary Metals Recycler, and Pawnbroker Transactions

SPONSOR(S): Michael

COMPANION BILL: [CS/SB 1582](#) (Yarborough)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Criminal Justice](#)

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SUMMARY

Effect of the Bill:

The bill requires secondhand dealers, secondary metals recyclers, and pawnbrokers to submit specified transaction records to the Florida Department of Law Enforcement (FDLE) for the purpose of statewide data sharing.

Fiscal or Economic Impact:

To the extent that FDLE is required to incur costs to establish and maintain a system for receiving transaction records, there may be an indeterminate negative fiscal impact on state government. To the extent a secondhand dealer, secondary metals recycler, or pawnbroker incurs additional costs in submitting transaction records to FDLE, there may be an indeterminate negative economic impact on such businesses.

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ANALYSIS

EFFECT OF THE BILL:

The bill requires [secondhand dealers](#), [secondary metals recyclers](#), and [pawnbrokers](#) who must currently submit specified transaction records to a local law enforcement agency to also submit such records to the Florida Department of Law Enforcement (FDLE) for the purpose of statewide data sharing. (Sections [1](#), [2](#), [3](#), and [4](#))

The effective date of the bill is July 1, 2026. (Section [5](#))

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

To the extent that FDLE is required to acquire or update a system for receiving transactions records as required under the bill, there may be an indeterminate negative fiscal impact to the state.

PRIVATE SECTOR:

To the extent that secondhand dealers, secondary metals recyclers, and pawnbrokers are required to incur costs to report specified transactions to FDLE, they may experience an indeterminate negative economic impact.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

[Secondhand Dealers](#)

STORAGE NAME: h1345.CRM

DATE: 2/5/2026

A secondhand dealer is defined as any person, corporation, or other business organization or entity that is not a secondary metals recycler and is engaged in purchasing, consigning, or trading secondhand goods,¹ and also includes a secondhand dealer engaged in purchasing secondhand goods through an automated kiosk.²

Secondhand Dealers – Transaction Forms and Reporting Requirements

A secondhand dealer must record details about each transaction that he or she makes on a form approved by the Florida Department of Law Enforcement (FDLE).³ The form must include:

- The time, date, and place of the transaction.
- A complete and accurate description of the goods acquired, 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, if applicable.
 - In the case of firearms, the type of action, caliber or gauge, number of barrels, barrel length, and finish.
 - Any other unique identifying marks, numbers, or letters.
- Digital photographs of the goods.
- A description of the person from whom the goods were acquired, including:
 - Full name, current residential address, workplace, and home and work phone numbers.
 - Height, weight, date of birth, race, gender, hair color, eye color, and any other identifying marks.
 - The right thumbprint, free of smudges and smears, of the person from whom the goods were acquired.
- Any other information required by FDLE.⁴

Unless other arrangements are agreed to with the appropriate law enforcement official,⁵ a secondhand dealer must deliver the transaction form to such official within 24 hours after acquiring any secondhand goods.⁶ If the appropriate law enforcement official supplies a secondhand dealer with appropriate software and the secondhand dealer has computer capability, the secondhand dealer must electronically transmit the required transaction records.⁷ If a secondhand dealer lacks computer capability, the appropriate law enforcement official may provide a computer and all of the equipment necessary to electronically transmit transactions.⁸

Secondary Metals Recyclers

A secondary metals recycler means any person who:

¹ "Secondhand goods" are previously owned or used personal property purchased, consigned, or traded as used property. The term also includes gift certificates and credit memos that are purchased, consigned, or traded by a secondhand dealer. Secondhand goods do not include office furniture, pianos, books, clothing, organs, coins, motor vehicles, costume jewelry, gold, silver, platinum, palladium, or rhodium bullion that has been assayed and is properly marked as to its weight and fineness, cardio and strength training or conditioning equipment designed primarily for indoor use, and secondhand sports equipment that is not permanently labeled with a serial number. [S. 538.03\(1\)\(i\), F.S.](#)

² [S. 538.03\(1\)\(h\), F.S.](#)

³ [S. 538.04\(1\), F.S.](#)

⁴ *Id.*

⁵ For a secondhand dealer, the "appropriate law enforcement official" is the sheriff of the county in which a secondhand dealer is located or, if the secondhand dealer is located within a municipality, both the police chief of the municipality and the sheriff; however, the sheriff or police chief may designate as the appropriate law enforcement official for that county or municipality, as applicable, any law enforcement officer working within that respective county or municipality. [S. 538.03\(1\)\(b\), F.S.](#)

⁶ [S. 538.04\(1\), F.S.](#)

⁷ [S. 538.04\(6\), F.S.](#)

⁸ *Id.*

- Is engaged, from a fixed location, in the business of purchase transactions or gathering or obtaining ferrous or nonferrous metals that have served their original economic purpose or is in the business of performing the manufacturing process by which ferrous metals or nonferrous metals are converted into raw material products consisting of prepared grades and having an existing or potential economic value; or
- Has facilities for performing the manufacturing process by which ferrous metals or nonferrous metals are converted into raw material products consisting of prepared grades and having an existing or potential economic value, other than by the exclusive use of hand tools, by methods including, without limitation, processing, sorting, cutting, classifying, cleaning, baling, wrapping, shredding, shearing, or changing the physical form or chemical content thereof.⁹

Secondary Metals Recyclers – Transaction Forms and Reporting Requirements

A secondary metals recycler must maintain both a legible paper *and* electronic record of all purchase transactions to which such secondary metals recycler is a party.¹⁰ The appropriate law enforcement official¹¹ may provide data specifications regarding the electronic record format, but such format must be approved by FDLE.¹² The transaction record must include:

- The name and address of the secondary metals recycler.
- The name, initials, or other identification of the person entering the information on the ticket.
- The date and time of the transaction.
- The weight, quantity, or volume, and a description of the type of regulated metals property purchased in a purchase transaction.
- The amount of consideration given in a purchase transaction for the regulated metals property.
- A signed statement from the person delivering the regulated metals property stating that she or he is the rightful owner of, or is entitled to sell, the regulated metals property being sold.
- The distinctive number from the personal identification card of the person delivering the regulated metals property to the secondary metals recycler.
- A description of the person from whom the regulated metals property was acquired, including his or her:
 - Full name, current residential address, workplace, and home and work phone numbers.
 - Height, weight, date of birth, race, gender, hair color, eye color, and any other identifying marks.
 - Right thumbprint, free of smudges and smears.
 - Vehicle description to include the make, model, and tag number of the vehicle and trailer of the person selling the regulated metals property.
 - Any other information required by the form approved by FDLE.
- A photograph, videotape, or digital image of the regulated metals being sold.
- A photograph, videotape, or similar likeness of the person receiving consideration in which such person's facial features are clearly visible.¹³

An electronic record of the purchase transaction must be transmitted to the appropriate law enforcement official no later than 10 A.M. on the business day following the transaction.¹⁴

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 (pledgor) may reclaim the goods after repaying the funds, interest, and pawn service

⁹ [S. 538.18\(11\), F.S.](#)

¹⁰ [S. 538.19\(1\), F.S.](#)

¹¹ For secondary metals recycler, the “appropriate law enforcement official” means the sheriff of the county in which a secondary metals recycler is located or, if the secondary metals recycler is located within a municipality, the police chief of the municipality in which the secondary metals recycler is located; however, the sheriff or police chief may designate as the appropriate law enforcement official for the county or municipality, as applicable, any law enforcement officer working within that respective county or municipality. *Id.*

¹² *Id.*

¹³ [S. 538.19\(2\), F.S.](#)

¹⁴ [S. 538.19\(1\), F.S.](#)

charge by the maturity date of the pawn, which must be 30 days after the date of the pawn. If the pledgor fails to repay the required funds, then the pledged goods are forfeited to the pawnbroker 30 days after the maturity date.¹⁵

Pawn Shops – Transaction Forms and Reporting Requirements

A pawnbroker must complete a printed pawnbroker transaction form whenever they enter into a pawn or make a purchase from a seller. The Department of Agriculture and Consumer Services 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:¹⁶

- 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:¹⁷

- 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.
 - 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.¹⁸

¹⁵ National Pawnbrokers Association, [Pawn 101: The Basics](#), (last visited Feb. 5, 2026).

¹⁶ [S. 539.001\(8\), F.S.](#)

¹⁷ *Id.*

¹⁸ *Id.*

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 agency¹⁹ 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.²⁰

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.²¹

Public Record Exemption

Under [s. 539.003, F.S.](#), all records relating to pawnbroker transactions that are delivered to appropriate law enforcement officials are confidential and exempt from disclosure as a public record and information contained in such records may only be used for law enforcement purposes. However, appropriate law enforcement officials are authorized to disclose the name and address of the pawnbroker, the name and address of the conveying customer, or a description of the pawned property to the alleged owner of pawned property.²²

Existing Databases

There is not a single statewide database that aggregates transactions from secondhand dealers, secondary metals recyclers, and pawn shops.²³ Instead, multiple databases are created and maintained by local or regional law enforcement agencies.²⁴ Such agencies must either develop an internal database for reporting such transactions or contract with third-party vendors who receive information about such transactions and then charge a fee for law enforcement agencies to access the information.²⁵

Feasibility Study

Legislation²⁶ enacted during the 2025 legislative session required FDLE to conduct a feasibility study to evaluate the viability of establishing a statewide pawn database, which must be free of charge to all Florida law enforcement agencies, and allow such agencies to access, update, and share pawn data in real time.²⁷ The study recommended that FDLE outsource pawn data collection through a single vendor, which would allow FDLE to build and own the core components of the system, and shift the financial responsibility for collecting pawn data from local law enforcement agencies to the state.²⁸

¹⁹ For a pawnshop, 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.](#)

²⁰ [S. 539.001\(9\), F.S.](#)

²¹ *Id.*

²² [S. 539.003, F.S.](#)

²³ Florida Department of Law Enforcement, *Statewide Pawn Database Feasibility Study*, (Nov. 4, 2025) p. 10 (on file with the House Criminal Justice Subcommittee).

²⁴ *Id.*

²⁵ *Id.* at p. 10–12.

²⁶ [Ch. 2025-43, Laws of Fla.](#)

²⁷ Florida Department of Law Enforcement, *Statewide Pawn Database Feasibility Study*, (Nov. 4, 2025) p. 1 (on file with the House Criminal Justice Subcommittee).

²⁸ *Id.* at p. 2.

RECENT LEGISLATION:

YEAR	BILL #/SUBJECT	HOUSE/SENATE SPONSOR(S)	OTHER INFORMATION
2025	CS/CS/HB 1359 - Feasibility Study Relating to Statewide Pawn Data Database	Michael/ <i>Yarborough</i>	Became law on July 1, 2025.

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Criminal Justice Subcommittee	15 Y, 0 N, As CS	2/5/2026	Hall	Padgett

THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> Removed a requirement for FDLE to establish, operate, and maintain a statewide pawn database that meets specified criteria, and removed requirements related to the statewide pawn database. Required secondhand dealers, secondary metals recyclers, and pawnbrokers to submit transaction records to FDLE for the purpose of statewide data sharing.
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THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.
