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LEGISLATIVE ACTION

Senate	.	House
Comm: FAV	.	
01/28/2026	.	
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The Committee on Commerce and Tourism (Yarborough) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Subsections (1), (6), and (8) of section 538.04, Florida Statutes, are amended to read:

538.04 Recordkeeping requirements; penalties.—

(1) A secondhand dealer shall complete a secondhand dealers transaction form at the time of the actual transaction. A secondhand dealer shall maintain a copy of a completed



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transaction form on the registered premises for at least 1 year after the date of the transaction. However, the secondhand dealer shall maintain a copy of the transaction form for not less than 3 years. Unless other arrangements are agreed upon by the secondhand dealer and the appropriate law enforcement official, the secondhand dealer shall, within 24 hours after acquiring any secondhand goods, deliver to such official and the Department of Law Enforcement a record of the transaction on a form approved by the Department of Law Enforcement for the purpose of statewide data sharing. Such record must ~~shall~~ contain all of the following:

(a) The time, date, and place of the transaction.

(b) A complete and accurate description of the goods acquired, including the following information, if applicable:

1. Brand name.

2. Model number.

3. Manufacturer's serial number.

4. Size.

5. Color, as apparent to the untrained eye.

6. Precious metal type, weight, and content if known.

7. Gemstone description, including the number of stones, if applicable.

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

9. Any other unique identifying marks, numbers, or letters.

(c) Digital photographs of the goods, clearly showing the items required to be included on the record as provided in paragraph (b).

(d) A description of the person from whom the goods were



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acquired, including:

1. Full name, current residential address, workplace, and home and work phone numbers.

2. Height, weight, date of birth, race, gender, hair color, eye color, and any other identifying marks.

3. The right thumbprint, free of smudges and smears, of the person from whom the goods were acquired.

(e) Any other information required by the form approved by the Department of Law Enforcement.

(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 secondhand dealer transactions required by this section to such official and the Department of Law Enforcement for the purpose of statewide data sharing. If a secondhand dealer does not have computer capability, the appropriate law enforcement official may provide the secondhand dealer with a computer and all equipment necessary to electronically transmit secondhand dealer transactions. The appropriate law enforcement official shall retain ownership of the computer, unless otherwise agreed upon, and the secondhand dealer shall maintain the computer in good working order, except for ordinary wear. A secondhand dealer who transmits secondhand dealer transactions electronically is not required to also deliver the original or paper copies of the secondhand transaction forms to the appropriate law enforcement official or the Department of Law Enforcement for the purpose of statewide data sharing. However, such official may, for purposes of a criminal investigation, request the secondhand dealer to deliver



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the original transaction form that was electronically transmitted. The secondhand dealer shall deliver the form to the appropriate law enforcement official and the Department of Law Enforcement within 24 hours after receipt of the request.

(8) When secondhand goods are purchased by means of an automated kiosk, the serial number reported pursuant to this section may be the International Mobile Station Equipment Identity (IMEI), the mobile equipment identifier (MEID), or another unique identifying number assigned to the device by the manufacturer. If the IMEI, MEID, or other unique identifying number is not available at the time of receipt or purchase, the report filed pursuant to this section must be updated with the IMEI, MEID, or other unique identifying number as soon as possible, but no later than 10 business days after the date of acquisition. If such identifying numbers are not available at the time of the transaction, the business must ~~shall~~ assign another unique identifier to the item which directly associates the item to the transaction that it was purchased in. Upon entering or updating any information on the transaction form, a law enforcement official, as designated by the sheriff or the chief of police of the jurisdiction in which the item was purchased, must be timely notified in writing or by electronic means, as required by the sheriff or chief of police of the jurisdiction. If, upon receiving the device and correcting the missing information, the company finds that the item was misappropriated or stolen, the appropriate law enforcement official and the Department of Law Enforcement must be notified. The holding requirements of ss. 538.06 and 538.09(3) do not begin until all required reports are complete and submitted to



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the appropriate law enforcement official and the Department of Law Enforcement for the purpose of statewide data sharing.

Section 2. Subsection (1) of section 538.19, Florida Statutes, is amended to read:

538.19 Records required; limitation of liability.—

(1) A secondary metals recycler shall maintain a legible paper record of all purchase transactions to which such secondary metals recycler is a party. A secondary metals recycler shall also maintain a legible electronic record, in the English language, of all such purchase transactions. The appropriate law enforcement official may provide data specifications regarding the electronic record format, but such format must be approved by the Department of Law Enforcement. An electronic record of a purchase transaction shall be electronically transmitted to the appropriate law enforcement official and the Department of Law Enforcement for the purpose of statewide data sharing no later than 10 a.m. of the business day following the date of the purchase transaction. The record transmitted to the appropriate law enforcement official and the Department of Law Enforcement must not contain the price paid for the items. A secondary metals recycler who transmits such records electronically is not required to also deliver the original or paper copies of the transaction forms to the appropriate law enforcement official or the Department of Law Enforcement for the purpose of statewide data sharing. However, such official may, for purposes of a criminal investigation, request the secondary metals recycler to make available the original transaction form that was electronically transmitted. This original transaction form must include the price paid for



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the items. The secondary metals recycler shall make the form available to the appropriate law enforcement official within 24 hours after receipt of the request.

Section 3. Subsections (3), (4), and (6) and paragraph (d) of subsection (7) of section 538.32, Florida Statutes, are amended to read:

538.32 Registration, transaction, and recordkeeping requirements; penalties.—

(3) For every transaction, the secondhand dealer shall ~~must~~ keep a record of the following:

(a) A complete and accurate description of the seller's goods, including:

1. Precious metal type, or, if jewelry, the type of jewelry.

2. Any other unique identifying marks, numbers, or letters. The description must be in an electronic format agreed upon by the dealer and the appropriate law enforcement agency.

(b) The date that the seller's goods were received by the mail-in secondhand precious metals dealer.

This information must be provided to the appropriate law enforcement agency and the Department of Law Enforcement for the purpose of statewide data sharing within 24 hours after entering into the contract unless other arrangements are made between the business and the law enforcement agency.

(4) For every transaction, pictures of the secondhand goods which are the subject of the transaction must be available online for electronic viewing, via a website accessible by username and password only, by a law enforcement agency and the



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Department of Law Enforcement at no charge. In addition, the electronic files must be searchable by a law enforcement agency for queries concerning property descriptions, secondhand dealer transaction information, and the seller's personal identification, including address, state of residence, and zip code.

(6) The mail-in secondhand precious metals dealer shall ~~must~~ provide the appropriate law enforcement agency and the Department of Law Enforcement for the purpose of statewide data sharing with an electronic copy of the name, address, phone number, driver license number, or government-issued identification number, and issuing state of the person from whom the dealer purchased or acquired the precious metals or jewelry.

(7)

(d) Within 24 hours after the expiration of the 30-day hold period for the property, the secondhand dealer shall ~~must~~ notify the appropriate law enforcement agency and the Department of Law Enforcement of the abandonment of the property by electronic transmission or by sending a copy of the completed form authorized by chapter 717 to the Department of Financial Services, Division of Unclaimed Property.

Section 4. Paragraphs (a) and (b) of subsection (9) of section 539.001, Florida Statutes, are amended to read:

539.001 The Florida Pawnbroking Act.—

(9) RECORDKEEPING; REPORTING; HOLD PERIOD.—

(a) A pawnbroker shall ~~must~~ maintain a copy of each completed pawnbroker transaction form on the pawnshop premises for at least 1 year after the date of the transaction. On or before the end of each business day, the pawnbroker shall ~~must~~



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185 deliver to the appropriate law enforcement official and the  
186 Department of Law Enforcement for the purpose of statewide data  
187 sharing the original printed pawnbroker transaction forms or  
188 printed copies of the digital pawnbroker transaction forms for  
189 each of the transactions occurring during the previous business  
190 day, unless other arrangements have been agreed upon between the  
191 pawnbroker and the appropriate law enforcement official. If an  
192 original printed transaction form is lost or destroyed by the  
193 appropriate law enforcement official, a copy may be used by the  
194 pawnbroker as evidence in court. When an electronic image of a  
195 pledgor or seller identification is accepted for a transaction,  
196 the pawnbroker must maintain the electronic image in order to  
197 meet the same recordkeeping requirements as for the original  
198 printed transaction form. If a criminal investigation occurs,  
199 the pawnbroker must ~~shall~~, upon request, provide a clear and  
200 legible copy of the image to the appropriate law enforcement  
201 official.

202 (b) If the appropriate law enforcement agency supplies the  
203 appropriate software and the pawnbroker presently has the  
204 computer ability, pawn transactions must ~~shall~~ be electronically  
205 transferred to the appropriate law enforcement official and the  
206 Department of Law Enforcement for the purpose of statewide data  
207 sharing. If a pawnbroker does not presently have the computer  
208 ability, the appropriate law enforcement agency may provide the  
209 pawnbroker with a computer and all necessary equipment for the  
210 purpose of electronically transferring pawn transactions. The  
211 appropriate law enforcement agency retains ~~shall retain~~  
212 ownership of the computer, unless otherwise agreed upon. The  
213 pawnbroker shall maintain the computer in good working order,





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ordinary wear and tear excepted. In the event the pawnbroker transfers pawn transactions electronically, the pawnbroker is not required to also deliver to the appropriate law enforcement official or the Department of Law Enforcement the original or copies of the pawnbroker transaction forms. The appropriate law enforcement official may, for the purposes of a criminal investigation, request that the pawnbroker produce an original of a printed transaction form that has been electronically transferred. The pawnbroker shall deliver this form to the appropriate law enforcement official within 24 hours of the request.

Section 5. This act shall take effect July 1, 2026.

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

And the title is amended as follows:

Delete everything before the enacting clause  
and insert:

A bill to be entitled

An act relating to statewide data sharing of  
secondhand dealer and pawnbroker transactions;  
amending ss. 538.04, 538.19, 538.32, and 539.001,  
F.S.; revising the recordkeeping, transaction, and  
reporting requirements of certain secondhand dealers  
and pawnbrokers to be shared with the Department of  
Law Enforcement for the purpose of statewide data  
sharing of such records, transactions, and reports;  
providing an effective date.