



LEGISLATIVE ACTION

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

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:

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

7 538.04 Recordkeeping requirements; penalties.—

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



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

22 (a) The time, date, and place of the transaction.
23 (b) A complete and accurate description of the goods
24 acquired, including the following information, if applicable:
25 1. Brand name.
26 2. Model number.
27 3. Manufacturer's serial number.
28 4. Size.
29 5. Color, as apparent to the untrained eye.
30 6. Precious metal type, weight, and content if known.
31 7. Gemstone description, including the number of stones, if
32 applicable.
33 8. In the case of firearms, the type of action, caliber or
34 gauge, number of barrels, barrel length, and finish.
35 9. Any other unique identifying marks, numbers, or letters.
36 (c) Digital photographs of the goods, clearly showing the
37 items required to be included on the record as provided in
38 paragraph (b).
39 (d) A description of the person from whom the goods were



40 acquired, including:

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

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

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

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

49 (6) If the appropriate law enforcement official supplies a
50 secondhand dealer with appropriate software and the secondhand
51 dealer has computer capability, the secondhand dealer must
52 electronically transmit secondhand dealer transactions required
53 by this section to such official and the Department of Law
54 Enforcement for the purpose of statewide data sharing. If a
55 secondhand dealer does not have computer capability, the
56 appropriate law enforcement official may provide the secondhand
57 dealer with a computer and all equipment necessary to
58 electronically transmit secondhand dealer transactions. The
59 appropriate law enforcement official shall retain ownership of
60 the computer, unless otherwise agreed upon, and the secondhand
61 dealer shall maintain the computer in good working order, except
62 for ordinary wear. A secondhand dealer who transmits secondhand
63 dealer transactions electronically is not required to also
64 deliver the original or paper copies of the secondhand
65 transaction forms to the appropriate law enforcement official or
66 the Department of Law Enforcement for the purpose of statewide
67 data sharing. However, such official may, for purposes of a
68 criminal investigation, request the secondhand dealer to deliver



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

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



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

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

102 538.19 Records required; limitation of liability.—

103 (1) A secondary metals recycler shall maintain a legible
104 paper record of all purchase transactions to which such
105 secondary metals recycler is a party. A secondary metals
106 recycler shall also maintain a legible electronic record, in the
107 English language, of all such purchase transactions. The
108 appropriate law enforcement official may provide data
109 specifications regarding the electronic record format, but such
110 format must be approved by the Department of Law Enforcement. An
111 electronic record of a purchase transaction shall be
112 electronically transmitted to the appropriate law enforcement
113 official and the Department of Law Enforcement for the purpose
114 of statewide data sharing no later than 10 a.m. of the business
115 day following the date of the purchase transaction. The record
116 transmitted to the appropriate law enforcement official and the
117 Department of Law Enforcement must not contain the price paid
118 for the items. A secondary metals recycler who transmits such
119 records electronically is not required to also deliver the
120 original or paper copies of the transaction forms to the
121 appropriate law enforcement official or the Department of Law
122 Enforcement for the purpose of statewide data sharing. However,
123 such official may, for purposes of a criminal investigation,
124 request the secondary metals recycler to make available the
125 original transaction form that was electronically transmitted.
126 This original transaction form must include the price paid for



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

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

133 538.32 Registration, transaction, and recordkeeping
134 requirements; penalties.—

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

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

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

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

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

146
147 This information must be provided to the appropriate law
148 enforcement agency and the Department of Law Enforcement for the
149 purpose of statewide data sharing within 24 hours after entering
150 into the contract unless other arrangements are made between the
151 business and the law enforcement agency.

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



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

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

169 (7)
170 (d) Within 24 hours after the expiration of the 30-day hold
171 period for the property, the secondhand dealer shall must notify
172 the appropriate law enforcement agency and the Department of Law
173 Enforcement of the abandonment of the property by electronic
174 transmission or by sending a copy of the completed form
175 authorized by chapter 717 to the Department of Financial
176 Services, Division of Unclaimed Property.

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

179 539.001 The Florida Pawnbroking Act.—

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

181 (a) A pawnbroker shall must maintain a copy of each
182 completed pawnbroker transaction form on the pawnshop premises
183 for at least 1 year after the date of the transaction. On or
184 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,



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

225 Section 5. This act shall take effect July 1, 2026.
226

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

228 And the title is amended as follows:

229 Delete everything before the enacting clause
230 and insert:

231 A bill to be entitled
232 An act relating to statewide data sharing of
233 secondhand dealer and pawnbroker transactions;
234 amending ss. 538.04, 538.19, 538.32, and 539.001,
235 F.S.; revising the recordkeeping, transaction, and
236 reporting requirements of certain secondhand dealers
237 and pawnbrokers to be shared with the Department of
238 Law Enforcement for the purpose of statewide data
239 sharing of such records, transactions, and reports;
240 providing an effective date.