

By Senator Yarborough

4-00771B-26

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A bill to be entitled

An act relating to the pawn data statewide system; creating s. 539.004, F.S.; providing legislative intent; defining terms; requiring the Department of Law Enforcement to establish, operate, and maintain a statewide system for the collection of pawn data; providing system requirements; providing procurement authority to the department to contract with a single vendor to provide pawn data collection as a service; providing contract terms; prohibiting the department from making a specified delegation; requiring mandatory participation in the statewide system by specified dealers and recyclers; prohibiting certain agencies from requiring or maintaining separate contracts for pawn data collection services; prohibiting law enforcement agencies from being charged a fee for accessing pawn data through the system; establishing contract provisions for vendors; providing that all pawn data collected is the exclusive property of the state; providing that vendors do not acquire certain interests in the pawn data; providing that the pawn data may only be used for specified purposes; prohibiting specified acts; providing enforcement and penalties for violations; authorizing the department to adopt rules; providing an effective date.

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

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Section 1. Section 539.004, Florida Statutes, is created to read:

539.004 Pawn data statewide system.—

(1) LEGISLATIVE INTENT.—It is the intent of the Legislature to establish a single, secure, statewide pawn data collection system under the control of the Department of Law Enforcement to:

(a) Support criminal investigations and public safety statewide.

(b) Eliminate fragmented data collection and duplicative costs to law enforcement agencies;

(c) Ensure statewide data ownership, continuity, and interoperability.

(d) Protect sensitive transaction information from unauthorized use or commercialization.

(2) DEFINITIONS.—As used in this section, the term:

(a) "Department" means the Department of Law Enforcement.

(b) "Pawn data" means information related to the transactions of secondhand dealers and secondary metals recyclers, including pawn shops, which is required by chapter 538 and this chapter to be reported electronically to law enforcement officials. This data includes, but is not limited to, descriptions of property, seller information, transaction dates, and any other data related to the exchange of goods.

(c) "Statewide system" means the centralized pawn data collection and access system established and operated by the department under this section.

(d) "Vendor" means a single private entity procured by the department to provide pawn data collection as a service.

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(3) ESTABLISHMENT OF STATEWIDE SYSTEM.—

(a) The department shall establish, operate, and maintain a statewide system for the collection of pawn data.

(b) The department shall ensure that the statewide system:

1. Accepts electronic reports from all required reporting entities statewide.

2. Provides access to pawn data for law enforcement agencies in real time or near real time.

3. Supports multijurisdictional investigations.

4. Meets state and federal security, privacy, and records management requirements.

(4) PROCUREMENT AUTHORITY.—

(a) Pursuant to chapter 287, the department shall competitively procure and contract with a single vendor to provide pawn data collection as a service on a statewide basis.

(b) The department may enter into a multiyear contract, which may include renewal options, performance benchmarks, transition periods, and termination provisions consistent with state procurement law.

(c) The department may not delegate data ownership, governance authority, or law enforcement access control to a vendor.

(5) MANDATORY PARTICIPATION.—

(a) All secondhand dealers and secondary metals recyclers required to report under chapter 538 and this chapter shall submit required data through the statewide system.

(b) A local or regional law enforcement agency may not require or maintain a separate contract for pawn data collection services that duplicate the statewide system.

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88 (c) A law enforcement agency may not be charged a fee for
89 accessing pawn data through the statewide system.

90 (6) CONTRACTUAL REQUIREMENTS.—A contract executed under
91 this section must require the vendor to:

92 (a) Maintain and support integrations with commonly used
93 point-of-sale systems and web-based reporting tools.

94 (b) Provide compliance monitoring and technical assistance
95 to reporting businesses.

96 (c) Transmit all pawn data to the department in real time
97 or near real time.

98 (d) Provide full and continuous access to current and
99 historical pawn data to the department.

100 (e) Transfer all pawn data, including metadata and
101 historical records, to the department immediately upon request
102 or upon contract expiration or termination, without any
103 additional cost.

104 (f) Provide a department-approved transition plan to
105 prevent disruption of law enforcement operations.

106 (g) Comply with all state cybersecurity, public records,
107 and data retention requirements.

108 (7) OWNERSHIP AND USE OF DATA.—

109 (a) All pawn data collected under this section is the
110 exclusive property of this state.

111 (b) A vendor acts solely as a service provider and data
112 processor and does not acquire any ownership or proprietary
113 interest in the pawn data.

114 (c) Pawn data may be used only for official law
115 enforcement, regulatory, or public safety purposes authorized by
116 general law.

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117 (8) PROHIBITED ACTS.—

118 (a) A vendor may not sell, license, lease, sublicense,
119 monetize, or otherwise commercially exploit pawn data.

120 (b) A person may not knowingly misuse, disclose, or access
121 pawn data for any purpose not authorized by general law.

122 (9) ENFORCEMENT AND PENALTIES.—

123 (a) A vendor that violates this section, or the terms of a
124 contract entered into pursuant to subsection (4), is subject to:

125 1. Civil penalties of up to \$500,000 for each violation.

126 2. Contract termination.

127 3. Disqualification from future state contracts.

128 (b) A person who knowingly and willfully violates
129 subsection (8) commits a felony of the third degree, punishable
130 as provided in s. 775.082, s. 775.083, or s. 775.084.

131 (10) RULEMAKING.—The department may adopt rules to
132 implement this section, including, but not limited to, for
133 procurement administration, system standards, access controls,
134 data security, audits, and compliance enforcement.

135 Section 2. This act shall take effect July 1, 2026.