

**By** Senator Yarborough

4-02252-26

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A bill to be entitled

An act relating to public records; amending s. 539.003, F.S.; expanding the exemption from public records requirements for records relating to pawnbroker transactions to include those records delivered to the Department of Law Enforcement; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Section 539.003, Florida Statutes, is amended to read:

### 539.003 Confidentiality.—

(1) All records relating to pawnbroker transactions delivered to appropriate law enforcement officials and the Department of Law Enforcement pursuant to s. 539.001 are confidential and exempt from ~~the provisions of~~ s. 119.07(1) and s. 24(a), Art. I of the State Constitution and may be used only for official law enforcement purposes. This section does not prohibit the disclosure by the appropriate law enforcement officials or the Department of Law Enforcement of the name and address of the pawnbroker, the name and address of the conveying customer, or a description of pawned property to the alleged owner of pawned property.

(2) This section is subject to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2031, unless reviewed and saved from repeal

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30 through reenactment by the Legislature.

31       Section 2. The Legislature finds that it is a public  
32 necessity that the records relating to pawnbroker transactions  
33 which are delivered to the Department of Law Enforcement be made  
34 confidential and exempt from s. 119.07(1), Florida Statutes, and  
35 s. 24(a), Article I of the State Constitution. Such records  
36 contain sensitive personal identifying information from pawn  
37 transactions, such as the pledgor's or seller's name, address,  
38 telephone number, birth date, physical description, and right  
39 thumbprint. Access to such sensitive information would expose  
40 pledgors and sellers to increased risks of identity theft. The  
41 Legislature finds that expanding the public records exemption to  
42 include records of pawnbroker transactions delivered to the  
43 Department of Law Enforcement helps ensure uniformity with the  
44 current exemption when such records are delivered to other law  
45 enforcement officials and protects the effective administration  
46 of statewide data sharing of secondhand dealer transactions. The  
47 Legislature further finds that the harm that may result from the  
48 release of such personal identifying information outweighs any  
49 public benefit that may be derived from the disclosure of the  
50 information.

51       Section 3. This act shall take effect on the same date that  
52 SB 1582 or similar legislation takes effect, if such legislation  
53 is adopted in the same legislative session or an extension  
54 thereof and becomes a law