

1 State of Arkansas As Engrossed: S3/17/25 S3/19/25

2 95th General Assembly

A Bill

3 Regular Session, 2025

SENATE BILL 406

4

5 By: Senator A. Clark

6 By: Representative Warren

7

8

For An Act To Be Entitled

9 AN ACT CONCERNING INSTRUMENTS AFFECTING TITLE TO
10 PROPERTY; TO REQUIRE A COUNTY RECORDER TO VERIFY
11 CERTAIN INFORMATION BEFORE RECORDING A DEED TO REAL
12 ESTATE; AND FOR OTHER PURPOSES.

13

14

15

Subtitle

16

TO REQUIRE A COUNTY RECORDER TO VERIFY

17

CERTAIN INFORMATION BEFORE RECORDING A

18

DEED TO REAL ESTATE.

19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

21

22 SECTION 1. Arkansas Code § 14-15-403, concerning instruments affecting
23 title to property, is amended to add an additional subsection to read as
24 follows:

25 (f)(1)(A) A deed to real estate presented to a recorder for recording
26 either in person or by mail shall not be received for record or filing by the
27 recorder unless the grantor or grantee named in the deed to real estate
28 appears in person at the office of the recorder and presents a valid photo
29 identification card or driver's license.

30

(B) As used in subdivision (f)(1)(A) of this section,

31

"valid photo identification card or driver's license" means a photo

32

identification card or driver's license issued by a state agency or a United

33

States Government agency.

34

(C)(i) A recorder shall record a copy of all valid photo

35

identification cards or driver's licenses presented under subdivision

36

(f)(1)(A) of this section by attaching the photocopies to the deed to real



1 estate being recorded in accordance with the requirements under § 21-6-306.

2 (ii) Before recording a valid photo identification
3 card or driver's license under subdivision (f)(1)(C)(i) of this section, the
4 recorder shall redact from the copy of the valid photo identification card or
5 driver's license the following:

6 (a) A driver's license number or an
7 identification number, as applicable;

8 (b) An electronic signature; and

9 (c) An address.

10 (2) Subdivision (f)(1) of this section does not apply to a deed
11 to real estate that is presented to the recorder by:

12 (A) An attorney;

13 (B) A real estate broker or a real estate agent;

14 (C) A representative of a bank, mortgage company, or
15 lending institution;

16 (D) A title insurance agent, title insurance agency, or
17 person affiliated with a title insurance agency; or

18 (E) The Commissioner of State Lands.

19 (3) An unredacted copy of a valid photo identification card or
20 driver's license shall be filed by the recorder under seal.

21
22 /s/A. Clark
23
24
25
26
27
28
29
30
31
32
33
34
35
36