

1 State of Arkansas As Engrossed: S3/17/25 S3/19/25 S4/7/25

2 95th General Assembly

A Bill

3 Regular Session, 2025

SENATE BILL 406

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5 By: Senator A. Clark

6 By: Representative Warren

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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.

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Subtitle

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TO REQUIRE A COUNTY RECORDER TO VERIFY

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CERTAIN INFORMATION BEFORE RECORDING A

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DEED TO REAL ESTATE.

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

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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:

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

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(ii) If a deed to real estate is presented to a
32 recorder for recording by mail, the grantor named in the deed to the real
33 estate shall include a photocopy of his or her valid photo identification or
34 driver's license with the deed to real estate submitted by mail.

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

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



1 identification card or driver's license issued by a state agency or a United
2 States Government agency.

3 (C) A recorder shall record a copy of all valid photo
4 identification cards or driver's licenses presented under subdivision
5 (f)(1)(A) of this section by attaching the photocopies to the deed to real
6 estate being recorded in accordance with the requirements under § 21-6-306.

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

9 (A) An attorney;

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

11 (C) A representative of a bank, mortgage company, or
12 lending institution;

13 (D) A title insurance agent, title insurance agency, or
14 person affiliated with a title insurance agency;

15 (E) The Commissioner of State Lands;

16 (F) An individual representing the state or a political
17 subdivision of the state; or

18 (G) The state, a municipality within the state, a county
19 within the state, or a political subdivision of the state.

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

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23 /s/A. Clark
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26 **APPROVED: 4/17/25**
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