

State of Arkansas *As Engrossed: H2/25/25 H3/4/25 H3/6/25*

95th General Assembly

## A Bill

Regular Session, 2025

HOUSE BILL 1367

By: Representative Warren

By: Senator C. Penzo

### For An Act To Be Entitled

AN ACT TO AMEND THE ARKANSAS TITLE INSURANCE ACT; TO  
REGULATE ACCESS TO PUBLIC RECORDS BY A TITLE AGENT  
AND A TITLE COMPANY; AND FOR OTHER PURPOSES.

### Subtitle

TO AMEND THE ARKANSAS TITLE INSURANCE  
ACT; AND TO REGULATE ACCESS TO PUBLIC  
RECORDS BY A TITLE AGENT AND A TITLE  
COMPANY.

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

SECTION 1. Arkansas Code § 23-103-417, concerning access to public  
records under the Arkansas Title Insurance Act, is amended to add additional  
subsections to read as follows:

(e)(1) If a city, county, or state government or government official  
maintains, compiles, or keeps instruments of record affecting real property  
in electronic format or as an electronic record as defined in § 14-14-111,  
whether or not kept by the city, county, or state government or government  
official directly or through a third-party provider, the city, county, or  
state government or government official shall provide the instruments of  
record affecting real property in their electronic format and in the time  
required under subdivision (b)(1) of this section to

a:

(A) Title insurance agent;

(B) Title insurance agency; or

(C) Person affiliated with a title insurance agency.



1           (2) An instrument of record affecting real estate that is  
2 provided under subdivision (e)(1) of this section shall not bear any  
3 watermark or other notation that does not appear on the original record.

4           (3) A reasonable fee not to exceed one hundred fifty dollars  
5 (\$150) per month may be charged for providing the instruments under  
6 subdivision (e)(1) of this section.

7           (f) If a city, county, or state government or government official that  
8 maintains, compiles, or keeps instruments of record affecting real property  
9 does not maintain instruments in electronic format or as an electronic  
10 record, then the city, county, or state government or government official  
11 shall provide the instruments of record affecting real property in the form  
12 of a mechanical reproduction in the time required under subdivision (b)(1) of  
13 this section to a:

14           (1) Title insurance agent;

15           (2) Title insurance agency; or

16           (3) Person affiliated with a title insurance agency.

17                               /s/Warren

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