

1 State of Arkansas
2 95th General Assembly
3 Regular Session, 2025

A Bill

SENATE BILL 69

4
5 By: Senator A. Clark
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For An Act To Be Entitled

8
9 AN ACT TO REQUIRE A DEED OR OTHER INSTRUMENT THAT
10 CONVEYS REAL PROPERTY OR AN INTEREST IN REAL PROPERTY
11 WITHOUT WARRANTY BE RECORDED AND FILED ONLY BY THE
12 RECORDER OF THE COUNTY IN WHICH THE REAL PROPERTY IS
13 LOCATED; TO AUTHORIZE A REAL PROPERTY OWNER TO
14 COMPLETE A FORM CREATED BY A COUNTY RECORDER'S OFFICE
15 THAT REQUIRES CERTAIN PROVISIONS BE MADE BEFORE A
16 DEED OR OTHER INSTRUMENT THAT CONVEYS REAL PROPERTY
17 OR AN INTEREST IN REAL PROPERTY OWNED BY THE REAL
18 PROPERTY OWNER MAY BE RECORDED OR FILED; AND FOR
19 OTHER PURPOSES.
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Subtitle

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23 CONCERNING THE RECORDATION AND FILING OF
24 A DEED OR OTHER INSTRUMENT THAT CONVEYS
25 REAL PROPERTY OR AN INTEREST IN REAL
26 PROPERTY.
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28 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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30 SECTION 1. Arkansas Code § 14-15-403, concerning the recordation or
31 filing of an instrument that affects the title to real estate or personal
32 property, is amended to add an additional subsection to read as follows:

33 (f) A deed or other instrument purporting to convey real property or
34 an interest in real property without warranty shall be received for record or
35 filing only by the recorder of the county in which the real property is
36 located.



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2 SECTION 2. Arkansas Code § 14-15-412, concerning the certification of
3 an instrument that affects the title to real estate, is amended to add an
4 additional subsection to read as follows:

5 (c)(1) Each county recorder shall create a form that a real property
6 owner may complete that prohibits the purported conveyance without warranty
7 of the owner's real property or interest in real property by a deed or
8 instrument unless the:

9 (A) Deed or instrument is signed in person at the office
10 of the recorder of the county in which the real property is located;

11 (B) County recorder has obtained receipt of the lawful
12 signature of the real property owner at the office of the recorder of the
13 county in which the real property is located; and

14 (C) Real property owner shows the recorder of the county
15 in which the real property is located his or her government-issued photo
16 identification, including without limitation a passport or state-issued
17 driver's license.

18 (2) If a real property owner is unable to sign a form in person
19 as required by subdivision (c)(1)(A) of this section, the form signed by the
20 real property owner may be submitted in person by an individual acting under
21 a properly executed power of attorney for the real property owner.

22 (3) A form completed and signed under this subsection shall
23 remain in effect until the real property owner:

24 (A) Conveys the real property or his or her interest in
25 the real property; or

26 (B) Rescinds the form.

27 (4) The protections of real property or an interest in real
28 property guaranteed by the completion of a form under this subsection are not
29 transferable.

30 (5)(A) A county recorder's office may charge a one-time fee for
31 the completion of a form under subdivision (c)(1) of this section.

32 (B)(i) Except as provided under subdivisions (c)(5)(B)(ii)
33 and (c)(5)(B)(iii) of this section, a one-time fee charged under this
34 subdivision (c)(5) shall not exceed one hundred dollars (\$100).

35 (ii) For an individual who is over sixty-five (65)
36 years of age or permanently disabled, a one-time fee charged under this

1 subdivision (c)(5) shall not exceed fifty dollars (\$50).

2 (iii) For real property that is occupied by an
3 individual other than the real property owner, a one-time fee charged under
4 this subdivision (c)(5) shall not exceed two hundred fifty dollars (\$250).

5 (6) A deed or other instrument purporting to convey real
6 property or an interest in real property of an owner who completed a form
7 under subdivision (c)(1) of this section shall not be submitted for
8 recordation or filing by a county recorder unless all requirements under this
9 subsection are met.

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