

Stricken language would be deleted from and underlined language would be added to present law.

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.



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

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

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

(1) Title insurance agent;

(2) Title insurance agency; or

(3) Person affiliated with a title insurance agency.

/s/Warren