

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

State of Arkansas *As Engrossed: S3/17/25 S3/19/25 S4/7/25*
95th General Assembly **A Bill**
Regular Session, 2025

SENATE BILL 406

By: Senator A. Clark

By: Representative Warren

For An Act To Be Entitled

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

Subtitle

TO REQUIRE A COUNTY RECORDER TO VERIFY CERTAIN INFORMATION BEFORE RECORDING A DEED TO REAL ESTATE.

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

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

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

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

(B) As used in subdivision (f)(1)(A) of this section, "valid photo identification card or driver's license" means a photo



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

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

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

(A) An attorney;

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

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

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

(E) The Commissioner of State Lands;

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

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

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

/s/A. Clark