1	State of Arkansas	As Engrossed: H2/10/11	
2	88th General Assembly	A Bill	
3	Regular Session, 2011		HOUSE BILL 1209
4			
5	By: Representative Lovell		
6	By: Senator Burnett		
7			
8		For An Act To Be Entitled	l
9	AN ACT TO MODIFY THE REQUIREMENTS FOR RECORDATION OF		
10	A DEED; AND FOR OTHER PURPOSES.		
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12			
13		Subtitle	
14	TO MO	DIFY THE REQUIREMENTS FOR	
15	RECOR	DATION OF A DEED.	
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18	BE IT ENACTED BY THE GE	ENERAL ASSEMBLY OF THE STATE C	F ARKANSAS:
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20	SECTION 1. Arkar	nsas Code § 26-60-110 is amend	led to read as follows:
21	26-60-110. Recordation of deed.		
22	(a) It shall be the duty of the $\underline{\mathtt{A}}$ grantee or buyer of real property or		
23	his or her agent <del>to</del> <u>shall</u> furnish proof of payment of <u>the real property</u>		
24	<u>transfer</u> tax as provide	ed in this chapter before the	real <del>estate</del> <u>property</u>
25	transfer instrument may	y be accepted by the county re	ecorder <del>of deeds</del> for
26	recordation.		
27	(b) <u>(1)</u> The count	ty recorder <del>of deeds</del> shall not	record any <u>real property</u>
28	<u>transfer</u> instrument evi	idencing a transfer of title s	subject to this chapter
29	unless: the considerati	ion for the real property tran	nsfer is shown on the face
30	of the real property tr	ransfer instrument.	
31	<del>(1)</del> (2) The	e <u>real property transfer</u> instr	rument at the time it is
32	presented for recording	g shall <del>have attached thereto</del>	or be accompanied by an
33	affidavit in the form p	<del>provided in this chapter, cont</del>	caining the information
34	required in this chapter, and have documentary stamps attached to the face of		
35	the <u>real property trans</u>	<u>sfer</u> instrument evidencing ful	l payment of the real
36	property transfer tax o	on the transaction.	

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1	(3)(A) The real property transfer instrument shall contain a		
2	notation on its face $\frac{\text{which}}{\text{that}}$ shall be recorded as part of the $\frac{\text{real}}{\text{that}}$		
3	property transfer instrument that the affidavit was completed; or		
4	consideration listed in the real property transfer instrument accurately		
5	states the total dollar amount paid for the real property and the value and		
6	type of any nonmonetary consideration included in the real property transfer		
7	(2)(A) In the alternative, the instrument has stamped thereon of		
8	attached thereto in a manner which will cause it to be recorded as a part of		
9	the instrument the following statement:		
10	"I certify under penalty of false swearing that the legally correct amount o		
11	documentary stamps have been placed on this instrument".		
12	(B) This statement The instrument shall be signed by the		
13	grantee or his or her agent, and the grantee's address shall be clearly show		
14	on the instrument.		
15	(c) The county recorder of deeds shall not record any real property		
16	$\underline{\text{transfer}}$ instrument $\underline{\text{whereon}}$ $\underline{\text{if the}}$ documentary stamps are attached in such $\underline{\text{a}}$		
17	manner that the amount printed on each documentary stamp is not visible.		
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19	/s/Lovel1		
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