

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



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

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

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

9 (A) An attorney;

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

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

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

15 (E) The Commissioner of State Lands;

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

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

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

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23 /s/A. Clark  
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