



TO: Alliant National Arkansas Agents  
DATE: September 23, 2025  
SUBJECT: ***2025 Legislative Update***

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This Memorandum contains brief summaries of the various laws passed by the 95<sup>th</sup> General Assembly, Regular Session, 2025. The House and Senate Bills described below are being included in this Memorandum because they appear to have an impact on the day-to-day activities of our title agents.

**Arkansas House Bill 1274- Concerning Collection of Real Property Taxes**

Introduced as House Bill 1274 and enacted/effective on April 10, 2025 as Act 521, this legislation amends Arkansas Code § 26-35-601(b) concerning the collection of real property taxes. Subject to certain exceptions, it shall be considered a violation for the county collector to knowingly accept payment of general real estate taxes without requiring the payment of personal property taxes. Further, this legislation amends Arkansas Code § 26-35-601(c)(3) to state that the county collector shall respond to a person or entity facilitating the closing of a real estate transaction (title insurance agent, title insurer, or title company) within 3 business days of receiving a request for a statement of owed property taxes. If the county collector fails to respond within 3 business days of receiving the request, then the collector shall accept payment of the real estate taxes due on the parcels that were the subject of the request without payment of any related personal property taxes.

Relevant Statutes: Arkansas Code § 26-35-601

**Arkansas House Bill 1273- Concerning Lien Priority**

Introduced as House Bill 1273 and enacted/effective on February 11, 2025 as Act 29, this legislation amends Arkansas Code § 26-18-701 to provide that a lien created by the entry of a certificate of indebtedness issued by the Secretary of the Department of Finance and Administration is not in superior lien position to a purchase money mortgage.

Relevant Statutes: Arkansas Code § 26-18-701

**Arkansas House Bill 1272- Concerning Property Vacated by Municipality**

Introduced as House Bill 1272 and enacted/effective on April 10, 2025 as Act 520, this legislation amends Arkansas Code § 14-301-306 to provide that a future conveyance of real estate without reference to an abutting street or alley abandoned by the city or town will also include the respective portion of the abandoned street or alley that vested in the abutting owner upon adoption of the ordinance, unless expressly reserved. Further, a conveyance of abutting real estate without reference to an abandoned street or alley will also include the respective portion of the said street or alley abandoned by the city or town that vested in the abutting owner upon adoption of the ordinance. This Act applies retroactively to all the streets and alleys abandoned by a city or town with real estate abutting the streets and alleys after February 6, 1945.

Relevant Statutes: Arkansas Code § 14-301-306;

### **Arkansas House Bill 1271- Concerning the Priority of Mechanic's and Materialmen's Liens**

Introduced as House Bill 1271 and enacted/effective on April 8, 2025 as Act 479, this legislation amends the sections of the Arkansas Code concerning mechanics' and materialmen's liens to clarify the priority of such liens. Specifically, any such mechanics' and materialmen's liens attach to the improvement for which work was performed or materials supplied, subject to any encumbrance existing prior to commencement of construction or repair of the improvement. Additional code sections are added to allow reliance by a person funding construction or repairs through a mortgage or other security instrument upon an affidavit by an appraiser, architect, surveyor, or engineer confirming that work has not commenced or materials placed on site at time of inspection (the inspection and affidavit must occur within 4 business days before or after the mortgage is filed). Lastly, if construction commences prior to a mortgage or security instrument being recorded, only the liens for labor, materials, or supplies provided *before* that recording will take priority over the mortgage or security interest.

Relevant Statutes: Arkansas Code § 18-44-110

### **Arkansas House Bill 1367- Concerning Regulation of Access to Public Records by Title Agents and Title Companies**

Introduced as House Bill 1367, and enacted/effective on March 20, 2025 as Act 346, this legislation adds additional subsections to the Arkansas Title Insurance Act to regulate access to public records by a title agent and title company. Specifically, a city, county or state government that maintains, complies or keeps instruments of record affecting real property in an electronic format or as an electronic record shall provide said real property records to a: (A) title insurance agent; (B) title insurance agency; or (C) person affiliated with a title insurance agency upon request, and without watermark, for a reasonable fee not exceeding one hundred and fifty dollars per month.

Relevant Statutes: Arkansas Code § 23-103-417

### **Arkansas House Bill 1479- Concerning Who May Execute and Record Scrivener's Affidavits**

Introduced as House Bill 1479, and enacted/effective on March 25, 2025 as Act 418, this legislation amends Arkansas Code § 18-12-108(b) to add additional subsections concerning who may execute and record a scrivener's affidavit. Specifically, the legislation adds that a licensed engineer or surveyor who prepared an instrument that affects or is related to title to real property may execute and record a scrivener's affidavit. Additionally, a notary who witnessed execution of an original instrument and executed an acknowledgment that contains an error may also execute and record a scrivener's affidavit.

Relevant Statutes: Arkansas Code § 18-12-108

### **Arkansas House Bill 1358- Technical Corrections to Title 18 of the Arkansas Code**

Introduced as House Bill 1358 and enacted/effective on February 25, 2025 as Act 174, this legislation makes technical corrections to Title 18 of the Arkansas Code concerning property. Specifically, this legislation helps further define what constitutes a prohibited foreign party-controlled business.

Relevant Statutes: Arkansas Code § 18-11-110; Arkansas Code § 18-11-802

### **Arkansas Senate Bill 406- County Recorder Must Verify Identity Under Certain Circumstances**

Introduced as Senate Bill 406, and enacted/effective on April 17, 2025 as Act 752, this legislation amends Arkansas Code § 14-15-403 to add an additional subsection concerning deeds conveying title to real estate. Specifically, it adds that a deed presented to a recorder in person or by mail shall not be received for record or filing unless the grantor named in the deed or the individual signing the deed on behalf of the grantor appears in person at the recorder's office. Further, the grantor must present a valid photo identification card (issued by a state agency or a US government agency). If a deed is presented to a recorder by mail, then the grantor named in the deed must also include a photocopy of his valid photo identification or driver's license. The recorder will record a copy of all valid photo identification cards or driver's licenses by attaching the

photocopies to the deed. These requirements do not apply to a deed to real estate presented to the recorder by: (A) an attorney; (B) a real estate broker or real estate agent; (C) a representative of a bank, mortgage company, or lending institution; or (D) a title insurance agent, title insurance agency, or person affiliated with a title insurance agency (there are additional exceptions provided under the statute).

Relevant Statutes: Arkansas Code § 14-15-403

#### **Arkansas House Bill 1680- Certain Foreign-Party-Controlled Business Prohibited from Leasing an Interest in Land**

Introduced as House Bill 1680 and enacted/effective on April 17, 2025 as Act 811, this legislation amends Arkansas Code § 18-11-110 to restrict prohibited foreign-party-controlled businesses from leasing an interest in land in Arkansas. Further, these parties are also banned from holding any interest in agricultural land that is located within a ten-mile radius of “critical infrastructure”, as defined under Arkansas Code § 18-11-110(a)(2)(A).

Relevant Statutes: Arkansas Code § 18-11-110; Arkansas Code § 18-11-802; Arkansas Code § 18-11-803

#### **Arkansas House Bill 1959- Abolishing Use of Writ of Scire Facias to Revive Judgments**

Introduced as House Bill 1959, and enacted/effective on April 22, 2025 as Act 986, this legislation aims to simplify the process of reviving an outstanding judgment and also abolishes the use of a writ of scire facias. Specifically, Arkansas Code § 16-65-501 is amended to allow a judgment creditor to revive an outstanding judgment (prior to expiration of the lien) by filing a notice that the judgment is still outstanding. Notice that the judgment is outstanding must contain certain information and must be served on the judgment debtor, via first class mail at the debtor’s last known address. If the whereabouts of the debtor are unknown and the debtor cannot be served via first class mail, then the creditor may post the notice at the courthouse door of the county in which the judgment or decree may have been rendered. If the notice is filed on or before the expiration of the lien of any judgment or decree, the lien of the judgment revived shall have relation to the day on which the notice is filed. The judgment must be revived within 10 years from the date of the rendition of the judgment, or if previously revived, within 10 years from the filing of the previous notice. A judgment that is recorded in the real property records of a county other than the county in which a notice is filed may be revived and the lien continued by recording a copy of the filed notice. A judgment that is recorded in the real property records of a county other than the county in which notice is filed may be revived and the lien continued by recording a copy of the filed notice.

Relevant Statutes: Arkansas Code § 16-65-501; Arkansas Code § 21-6-402; Arkansas Code § 21-6-403

#### **Arkansas Senate Bill 298- Repeals Law Concerning Setting Aside a Decree to Quiet Title**

Introduced as Senate Bill 298, and enacted/effective on March 18, 2025 as Act 320, this legislation repeals the law that previously allowed a person to set aside a decree to quiet title within 3 years of the date of the decree. This allows for finality in quiet title actions.

Relevant Statutes: Arkansas Code § 18-60-510 is repealed