



2025 South Dakota Legislature

Senate Bill 20

Introduced by: The Chair of the Committee on Local Government at the request of the Secretary of State

1 **An Act to require a voter use a pen when marking a ballot.**

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

3 **Section 1. That § 12-18-16 be AMENDED:**

4 **12-18-16.** If a paper ballot is used, the voter ~~may use a pencil or~~ must use a pen
5 to mark the ~~voter's ballot and the~~ The voter may mark the ballot with either a cross (x)
6 or check mark (√).

7 **Section 2. That § 12-18-16.1 be AMENDED:**

8 **12-18-16.1.** If an optical scan ballot is used, the voter ~~may use a pencil or other~~
9 marking instrument provided must use a pen to mark ~~the voter's choice on~~ the ballot.