

2025 South Dakota Legislature

Senate Bill 20**AMENDMENT 20B
FOR THE INTRODUCED BILL**

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 or optical scan ballot is used, the voter ~~may use a~~
5 pencil ~~or must use a~~ black or blue ink pen to mark the voter's ballot ~~and the~~ The voter
6 ~~may mark the ballot with either a cross (x) 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.~~

10 ~~**Section 2. That § 12-18-16.1 be REPEALED.**~~

11 ~~If an optical scan ballot is used, the voter may use a pencil or other marking~~
12 ~~instrument provided to mark the voter's choice on the ballot.~~