



2025 South Dakota Legislature

Senate Bill 20

SENATE ENGROSSED

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

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 That § 12-18-16.1 be REPEALED.**

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