

2025 South Dakota Legislature

Senate Bill 104**AMENDMENT 104D
FOR THE SENATE LOCAL GOVERNMENT ENGROSSED BILL**

1 **An Act to provide for the publication of the cast vote record of automatic tabulating**
2 **equipment ~~and to make an appropriation therefor.~~**

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

4 **Section 1. That § 12-17B-13 be AMENDED:**

5 **12-17B-13.** The procedure for tabulating the votes by the automatic tabulating
6 equipment ~~shall~~ must be under the direction of the person in charge of the election, and
7 ~~shall~~ must conform to the specifications and requirements of the automatic tabulating
8 equipment.

9 The results printed by the automatic tabulating equipment ~~shall constitute~~ are the
10 immediate unofficial returns. These returns ~~shall be open to the public,~~ the and any cast
11 vote record, ~~and the or~~ ballot images collected by the automatic tabulating equipment, ~~if~~
12 any, ~~are public records.~~

13 The final returns printed by the automatic tabulating equipment ~~shall~~ must be
14 presented to the canvassing board for review and certification as the official returns.

15 For the purposes of this section, "ballot image" means a digital rendering or
16 facsimile of a paper ballot tabulated in the election.

17 For the purposes of this section, "cast vote record" means an electronic record of
18 how the marks on a ballot are tabulated as a vote for a candidate or other ballot question.

19 ~~**Section 2.** There is appropriated \$516,000 from the general fund, to the secretary of state,~~
20 ~~for the purpose of providing grants to county auditors to assist with the costs of implementing~~
21 ~~this Act.~~

22 ~~**Section 3.** The secretary of state shall approve vouchers and the state auditor shall draw~~
23 ~~warrants to pay expenditures authorized in this Act.~~

1 ~~**Section 4.** Any amounts appropriated in this Act not lawfully expended or obligated by June~~
2 ~~30, 2028, shall revert in accordance with the procedures prescribed in chapter 4-8.~~

3 ~~**Section 5.** This Act is effective beginning June 30, 2025.~~

AMENDMENT