

## 2025 South Dakota Legislature

**Senate Bill 20****AMENDMENT 20D  
FOR THE SENATE LOCAL GOVERNMENT ENGROSSED 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 ballpoint pen to mark the voter's ballot ~~and the~~  
6 ~~voter may 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 That § 12-18-16.1 be REPEALED.**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.~~