

House Judiciary Committee
State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505



March 17, 2025

To: Representative Lawrence R. Klemin, Chairman, Representative Karen Karls, Vice Chairman, and Members of the Committee,

The EveryLibrary Institute NFP is a national public policy organization dedicated to supporting libraries and the rights of their users. In advance of your hearing on March 18, 2025, we are writing to express our opposition to Senate Bill 2307 (2025).

SB 2307 would create unnecessary government overreach that threatens the First Amendment and imposes undue burdens on public libraries and school districts. By redefining obscenity with a vague "reasonable adult" standard, this bill grants broad discretion to government authorities to dictate what materials are acceptable, paving the way for subjective censorship and ideological control.

Requiring libraries to review and relocate materials deemed "explicitly sexual" is a thinly veiled attempt at banning books. This will suppress educational and literary content that has long been considered appropriate for a wide range of readers. Such policies fail to recognize the professional expertise of librarians and educators, who already follow rigorous selection processes to ensure their collections meet the diverse needs of their communities.

Additionally, the bill's requirements for digital resources impose costly and technologically burdensome restrictions on schools and public libraries, limiting students' ability to access essential research materials and widening the digital divide for those who rely on libraries for information. The mandated review process—allowing individuals to demand legal opinions from state attorneys—creates a chilling effect, encouraging baseless complaints that will waste public resources and place libraries under continual scrutiny.

Most troublingly, the threat of financial penalties and the withholding of state funds undermines the very foundation of public and school libraries. By weaponizing funding as a form of enforcement, this bill puts libraries in an impossible position: comply with an overly broad and legally questionable mandate or risk losing their ability to serve their communities altogether.

We strongly urge this committee to reject SB 2307.

Sincerely,

John Chrastka
Executive Director