



March 14, 2025

To: House Judiciary Committee

DO NOT PASS - SB 2307

Chairman Klemin and Members of the House Judiciary Committee:

As a result of HB 1205's passage during the 68th Legislative Assembly, North Dakota libraries already have policies allowing citizens to request reconsideration of material a citizen finds objectionable. This formal process is carried out deliberately and thoughtfully by professional library staff, administration, and boards on a local level to ensure community members can voice their concerns about material and that the material in question receives a thorough review and consideration. Because these policies already exist, and to avoid bureaucratic redundancy and increased caseloads for overextended state's attorneys, **I request that you recommend DO NOT PASS on SB 2307.**

No librarian can reasonably be expected to assume the risk of criminal prosecution and loss of state funding because some unknown citizen deems what is displayed in the collection objectionable. Consequently, to avoid the threat of prosecution, librarians will have no choice but to acquiesce to all claims of "obscenity" to ensure they conform with SB 2307's nebulous standards.

SB 2307 will restrain public libraries from making available certain books and other material which likely violates individuals' constitutional rights. Several similar laws* have been held unconstitutional as violating the First and Fourteenth Amendments because such laws impose content-based restrictions on speech with arbitrary implementation. Knowingly passing a law that is likely unconstitutional is imprudent and a waste of North Dakota taxpayers' money.

Please recommend "DO NOT PASS" on SB 2307.

Sincerely,

Christine Kujawa, MS, MM
Library Director, Bismarck Veterans Memorial Public Library

*See *Fayetteville Pub. Library v. Crawford Cnty.*, 684 F. Supp.3d 879; *Little v. Llano Cnty.*, 103 F.4th 1140; *Sund v. City of Wichita Falls, Tex.*, 121 F.Supp.2d 530.