



**Testimony in Opposition to SB 2307
House Judiciary Committee March 18th, 2025**

Chair Klemin and members of the House Judiciary Committee, my name is Gail Reiten and I'm the advocacy chair for Right to Read ND. Thank you for the opportunity to submit testimony.

Throughout my life, I have seen the power of books and libraries. As a daycare provider, I offered storytimes in my home and volunteered as a library storytime reader. While growing up in Zap, North Dakota, my five siblings and I were so hungry to read that we even exchanged cereal boxes at the breakfast table. Later, I brought my own children to the Minot Public Library, checking out books for them and for myself. The library became such a large influence on our lives that my daughter grew up to be a library director.

That is why I joined Right to Read ND. Right to Read ND is a nonpartisan group of North Dakota citizens concerned about attempts to limit our access to books and materials in libraries across the state. We believe Senate Bill 2307 overrides the First Amendment right of North Dakotans to access materials and books. It will also be costly to our taxpayers and communities (as is evidenced by the fiscal note), and take local control away from parents, library boards, schools, and communities. It does so in the following ways:

This bill is state government overreach. Parents are responsible for approving content for their own children. It's not one family's business to decide what is appropriate for other families to check out. Library challenges should be addressed by local boards and follow the review policies already in place. Local control ensures that library collections will continue to represent our local communities. Under this proposed law, anyone could request an opinion from a North Dakota State's Attorney, including non-residents of our state and does not require proof that the person shows that they have gone through the local processes already in place. This could lead to loss of library or school materials and the withholding of funding.

The bill has vague definitions that are subjective. This bill prohibits libraries from displaying "explicit sexual material" in a location "not easily accessible" to minors. Subjective language such as "not easily accessible" could lead libraries and schools to engage in self-censorship for fear of criminal charges. If this bill passes, our cities and counties will likely have to expend time and money defending themselves against challenges and legal charges—either because people don't like the books in the collection, or because they don't like that books were taken out.

No one can explain how the bill would be implemented. Certain ill-defined books would have to be made inaccessible to children. Who would decide which books? To some parents, the Bible is potentially too mature and explicit for children to read. For other parents, books about puberty and sex education would be considered explicit. And how inaccessible would they need to be? We have small rural libraries that don't have the space to completely separate sections, and they may be compelled to remodel to be in compliance with this law. If they are



unable to remodel, would libraries have to pay extra staff members to check IDs to enter certain sections?

The bill would limit access to ebooks, articles, and audiobooks. The bill calls to “filter or block access to” sexually explicit materials in electronic collections. What if our libraries have to shut off access to their database collections because of the slightest chance they “could” include such materials? Students could lose access to the valuable educational e-resources that are currently available to our libraries and schools.

As shown by the fiscal note now attached to this bill, the fiscal burden necessary to upgrade access for age verification is substantial. Libraries and schools already implement filters in compliance with the Children's Internet Protection Act. This ensures they are eligible for the federal E-rate program, which provides needed discounts for libraries and schools in order to fund their internet access and telecommunications. The filtering component of this bill is extreme and could ultimately hurt the academic future of North Dakota’s children.

Finally, the North Dakota Legislature already addressed this issue in 2023 with House Bill 1205. The Miller Test for obscenity has long been the standard in ND law. HB 1205 reinforced the requirement for libraries to file a report yearly so the state can make sure they are complying. Therefore, ND libraries already have age-appropriate materials in children’s collections.

As citizens who believe in the right to read, we trust our trained professionals to guide library collection development. Individual families should make content decisions that fit their personal values and viewpoints. Our libraries are thriving and valued centers that provide a place for community building, early childhood programming, technology access, and continuing education opportunities.

We ask you to protect our First Amendment right—the right to read and access information—and preserve our state value of local control. We strongly urge you to reject SB 2307 with a Do Not Pass recommendation.

Thank you for your consideration of our testimony.

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See below for a Q&A on Senate Bill 2307



Senate Bill 2307 Q&A

A number of questions came up from legislators in the Senate committee hearing on Senate Bill 2307, and we wanted to address some of those here.

Do libraries have a book review process?

Yes, libraries have a policy in place for citizens to challenge books in their collections, and it's usually called a "Request for Reconsideration of Materials." It ensures that a patron's concerns are given a fair hearing, and that library policies and state laws are being followed. **It does not guarantee that the library will take the action that the patron wants. If they did, it would allow one person to impose their personal beliefs on everyone in the community.**

Do libraries have internet filters?

Yes, library computers in North Dakota have internet filters in accordance with the Children's Internet Protection Act.

Is there pornography in our libraries?

No. Conflating the term "pornography" with materials in our libraries waters down the meaning of the word and makes it much more difficult to address the problem of pornography. Kids aren't finding porn at the library; they're finding it on their phones. The studies cited in the hearing by those who support this bill are about hard core pornography, not materials in our libraries.

Are our libraries safe?

Yes. Please stop using terms like "groomers" and "pedophiles" to describe the professionals in our libraries. It's misusing the terms and deeply unkind for those who have actually experienced it. It's also unfair and hurtful to librarians. Libraries are positive, connective spaces for families and kids in our communities.

How are libraries combating human trafficking?

Libraries care about the children in our communities and are actively working to protect them. Last year, the Morton Mandan Public Library hosted a bystander intervention program with the Green Dot campaign to work to prevent violence in the community. The program trains community members to identify and interrupt potentially violent situations. Libraries throughout North Dakota work with groups like Companions for Children, the United Way, and the North Dakota Children's Advocacy Center.

Do librarians care about the content in children's materials?

Yes! Librarians—many parents themselves—do not want kids to access inappropriate materials, which is why North Dakota libraries have collection development policies in place and trained librarians to purchase for collections.