

March 17, 2025

To: House Judiciary Committee Members –

For the record, I am Tori Lee, a citizen of Williston, North Dakota. I am writing today to urge a Do Not Pass recommendation for SB 2307.

First, this bill's use of the word "obscene" allows for too much individual discernment. This could lead to many books, including books that belong in children's sections, being removed unnecessarily because one person might find something in it that they consider obscene when the next person finds the same book completely appropriate for children. There is simply too much room to question what could or would be considered objectionable. The line is too blurred and the definitions are too vague.

Second, and most concerning to me, is that the demand in this bill to keep allegedly sexually explicit materials completely inaccessible to minors could potentially eliminate not only many general library services to many communities but also almost all Bookmobiles and Mobile Libraries entirely. Many Bookmobiles are already operating with limited shelf space or space in general, so they definitely do not have space to relocate items deemed "sexually explicit" or "obscene" in order to make them completely inaccessible to minors. Because of this, a lot of libraries that provide Bookmobile services would be forced to choose which members of their communities they are going to choose to serve, which goes against everything libraries stand for. Libraries are for everyone and should provide materials and services for everyone. This bill would make that job impossible.

Overall, this bill is unnecessary. North Dakota libraries already have collection development policies and procedures in place that align with the Miller Test for the treatment of obscene materials when taken as a whole. Two years ago, HB 1205 was passed, which ensures children's collections in libraries do not contain obscene materials. Also, our North Dakota libraries have some form of request for reconsideration that members of our communities can submit for review by our library boards, which are made up of members of those same communities. Because of all of this, we simply do not need SB 2307.

Thank you all for your time reading this testimony.

–Tori Lee