

CONCERNED
WOMEN *for* AMERICA
LEGISLATIVE ACTION COMMITTEE

March 18, 2025
House Judiciary Committee
Testimony in Support of SB 2307

Chairman Lawrence Klemin and members of the House Judiciary Committee, I am Linda Thorson, State Director for Concerned Women for America (CWA) of North Dakota. Today, I am testifying for Concerned Women for America Legislative Action Committee in support of SB 2307.

As the largest public policy women’s organization in the nation and our state, Concerned Women for America (CWA) of North Dakota urges you to protect minors by establishing required safety policies and technology protection measures for compliance with statutes protecting minors from explicit sexual material.

This legislation has been falsely labeled by some as the “book-banning bill”. That nickname is not factual. The primary objective of this legislation is to protect children from exposure to explicit or obscene materials in taxpayer-funded public and school libraries by establishing clear guidelines on what constitutes explicit sexual material and ensuring minors do not have easy access to such content. The definition of explicit sexual material found in [Section 1 of the bill](#), aligns fully with the well-known Miller test, established in *Miller v. California* (1973), to determine whether a work is considered obscene.

How does this bill impact the availability of certain books in libraries?

- Books and materials deemed obscene under the Miller test may still be available but must be moved to sections not easily accessible to minors.
- Materials that contain explicit content but have educational, literary, or scientific value would not be subject to restriction.
- The bill parallels current North Dakota obscenity laws, reinforcing regulations that prevent the distribution of obscene materials to minors.
- Definition of Public Library: The bill does not significantly change the definition but clarifies libraries’ responsibilities in compliance with the new restrictions.
- Standards for determining Obscenity: The Miller test remains the primary standard.
- Distinguishing Minor and Adult Content: Materials that fail the Miller test are restricted for minors but remain accessible to adults.

- Criteria for “Harmful to Minors”: A book must meet all conditions of the Miller test to be considered harmful.

CWA of ND supports this bill as it is not banning books at all but rather enhances the policy that children should not be exposed to such materials in a taxpayer-funded institution.

The Introduction to the [2023 Report to Congress by the National Strategy Conference](#) on Combating Child Exploitation states:

“Preventing and interdicting heinous and destructive acts of child exploitation is extraordinarily difficult work. Child exploitation crimes and the threats facing children have been exploding in scale, complexity, and dangerousness with the rapid expansion of digital technology. While devoted agents, prosecutors, analysts, victim service coordinators, and many other professionals have made significant progress protecting the most vulnerable in our society, there is more work to be done.”

Safety policies and technology protection measures as outlined in SB 2307 are urgently needed and can be done.

Concerned Women for America of North Dakota Legislative Action Committee urges a “do pass” recommendation for SB 2307.