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Your window to the world.

Feb. 7th, 2025

Senator Larson and members of the Senate Judiciary Committee:

I am writing to you in opposition of SB 2307. As a Youth Services Librarian in a small North Dakota community, I am just as concerned as you about inappropriate materials falling into the hands of minors. I work hard to ensure the books and other materials I add to my collections are appropriate for my patrons, as do all public and school librarians around the state. We all take this issue very seriously.

The additions made to NDCC 12.1-27.1-01 during the last legislative session ensured that North Dakota libraries maintain detailed collection development and reconsideration policies, as well as reviewing our collections for explicit materials. Libraries were already doing these things. This bill includes school libraries. You will likely find that most school libraries are also already meeting these requirements. The majority of this bill is redundant.

I am concerned about several aspects of this bill. Librarians could be convicted of a class B misdemeanor for displaying or stocking adult materials in an area that is accessible to minors. Public libraries are not age restricted; minors are allowed in all areas of libraries. At my library, parents bring their children into the Adult Area stacks on a regular basis, mostly so they can monitor their young children. Older teens often cross over to the adult section to find higher level reading materials or find nonfiction titles to help with school work. This is common at most libraries. Who will be charged with the misdemeanor? Is it the librarian who allowed the minor into the adult section or the librarian who purchased the book for that section? Will it be an organizational misdemeanor, charging the library instead? Additionally, section seven allows "any interested person" to make a request to review alleged violations. This vagueness of language makes it possible that person might not even be a North Dakota resident.

According to this bill we are supposed to include procedures to relocate materials to make them inaccessible to minors. My library is lucky enough to have two levels, children on one floor, and teens and adults on the other. Because our building is historically protected, we

are unable to make significant changes to the interior of our library. The only way to separate our teen and adult sections would be to move our teen area to our meeting room. By doing that, we would lose our only activity space. In 2024, we hosted 177 programs with an average of ten participants a session in our meeting room. These programs included weekly story times, STEM programs, and free summer lunch. Our meeting room is also the only free, publicly available meeting space in our community, and it is used frequently. If this bill passes, we would have no space for programs or community groups. This is a problem that this bill creates for many libraries in our state.

Many of the changes between NDCC 12.1-27.1-01 and the language in this bill are redundant. The rest will create a suspicious and hostile environment towards libraries and librarians, and isolate us from our communities by limiting our ability to serve them. I urge you to vote against this bill.

Yours truly,

Rachel Kercher