

## **Senate Bill 2307**

### **69th Legislative Assembly**

#### **House Judiciary Committee**

Chairman Klemm and Members of the House Judiciary Committee, my name is Ishauna Jacobberger, and I have been a proud resident of Fargo for over a decade. I deeply value North Dakota's public libraries and urge you to issue a "Do Not Pass" recommendation on SB 2307.

This bill lacks a clear framework for library compliance, relying instead on the vague standard of "the average person, applying contemporary North Dakota standards"—a subjective and undefined metric. Such ambiguity will create financial and legal burdens for both libraries and the Attorney General, who would be required to issue opinions on any "obscenity review procedure" within 30 days of a request. This unnecessary bureaucracy comes at a direct cost to taxpayers.

Furthermore, HB 1205, passed in North Dakota's 2023 legislative session, already established legal safeguards by incorporating the Federal Miller Test for obscenity into North Dakota law. It ensures that libraries maintain age-appropriate collections while requiring annual compliance reports. SB 2307 is redundant, costly, and punitive. It risks driving skilled librarians out of North Dakota by subjecting them to potential audits and even Class B misdemeanors—further eroding our state's commitment to limited government oversight. I ask you to trust our professional librarians, who are trained in collection curation and organization, rather than imposing unnecessary government intervention.

Please reject SB 2307. Thank you for your time.

Ishauna Jacobberger

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