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Chairwoman Larson  
And the Members of the Judiciary Committee,

I am writing to voice my opposition to the proposed changes presented in HB 1205.

I have several areas of concern as this bill is currently written. Section One is incredibly vague without any determining factor as to whom decides what these terms mean. Also, the definition of public library has already been determined by the North Dakota Century Code and does not need a new definition here. There is also the risk of exposure to potential first amendment lawsuits. Section C states that libraries are to "receive, evaluate, and respond to a request from an individual", but nowhere are libraries given the option to keep and to move the material.

Section Two states that this "applies to any book inventory or library collection maintained by a public library after March 31, 2024". The fiscal impact of our libraries trying to review every book in their current collection as well as any new purchases has the potential to reach into the millions.

My library already has a collection development policy as approved by the Ward County Public Library Board of Trustees that lays out the procedures that I must follow when evaluating books for our collection whether it be a book that we are purchasing or one that is donated by a taxpayer to the library. It also includes a process for the reconsideration of materials should a patron have concerns over a particular material while still remembering that a work must be evaluated as a whole and not a single scene or comic panel.

I firmly believe my beliefs and viewpoints should not dictate what another person may or may not want to read. The decision of whether or not a minor should have access to reading a particular subject is one that is best left up to their parents and/or guardians and is not one that should be left to an outside entity with no knowledge of the minor and their development.

The proposed changes are a violation of the rights of individuals to select for themselves what they would like to read. I am gravely concerned with the legality of this bill and the level of control that it is taking away from the individual and their first amendment right to choose what they and their family read.

I urge you to consider voting against this bill and I thank you for your time and consideration.

Respectfully,

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