

Members of the Senate Judiciary Committee,

My name is Kimberly Hurst and I reside in District 1. I am asking that you please render a do pass on Senate Bill 2123. First, I would like to highlight the details I support within this bill. North Dakota has already created obscenity control in century code with direct definitions on objectionable materials or performance and display to minors. Senate Bill 2123 is adjusting the language used to protect minors, persons under 18 years of age, from sexually explicit material. Under North Dakota Century Code 12.1-27.1 Obscenity Control as it stands today, it is illegal to willfully display objectionable materials to minors in all places of public *except* a bona fide school, college, university, museum, public library, or art gallery. This raises the question, why are these the exceptions? Especially for *children* in schools? In Senate Bill 2123 the definitions are clearly outlined; with material that contains depictions or written descriptions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion. This does not define material that is in relation to educational research purposes. Children who learn health and human biology will not be subdued to learning loss because basic human health academics do not include material that is "*presented in a manner to exploit sex, lust, or perversion*". Therefore, the adjusted language in this bill does not bear weight on academic learning loss.

Lastly in my support for this bill, I would like to mention the role it plays in safeguarding parental rights. With the way century code is written today, I do not have the parental rights to protect my children from obscene material while they are

in school. Books with unsuitable content are currently within reach of their hands in their school libraries leaving me no ability to step in, exercise my parental rights and protect them from being exposed to inappropriate material. I am asking this committee today to safeguard our parental rights and protect our children. I urge you to support the passing of Senate Bill 2123. Thank you for your consideration of this important matter and for your service to the state of North Dakota.

Kimberly Hurst