



Dear Chair Larson and the Senate Judiciary Committee members:

On behalf of American Booksellers for Free Expression (ABFE), the free speech initiative of the American Booksellers Association – the not-for-profit trade association of independent bookstores across the country, including North Dakota – I am writing today in opposition to ND SB 2123.

SB 2123 would make it a Class B misdemeanor if a “person willfully displays at newsstands or any other business establishment frequented by minors, or where minors are or may be invited as a part of the general public, any photograph, book, paperback book, pamphlet, or magazine, the exposed cover or available content of which exploits, is devoted to, or contains depictions or written descriptions of nude or partially denuded human figures posed or presented in a manner to exploit sex, lust, or perversion.”

SB 2123 is a threat to independent bookstores (and indeed, all bookstores), which stock and sell thousands of books. It would simply be impossible for bookstore owners to know everything in every book and materials that a store sells – meaning any given book on the shelf of the store represents a potential Class B misdemeanor. ABFE, on behalf of ABA, believes this bill represents a threat to a bookstore's owner's First Amendment right to carry and sell legal materials.

I urge the committee to oppose this bill.

I appreciate the opportunity to share our concerns with the committee. I am available to discuss our concerns in greater detail if that would be helpful.

Sincerely,

David Grogan, Director
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American Booksellers Association
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