

Chairman Klemin and members of the Judiciary Committee, my name is Jackson Harper, and I am a resident of Grand Forks. I am asking that you give a ***Do Not Pass*** recommendation for SB 2307.

Firstly, I am concerned the bill would have wider impact than it would first appear. Attempting to ensure minors can never be exposed to allegedly explicit sexual materials will almost certainly have an impact on the adult sections of libraries. Hypervigilant parents will pass responsibility for regulating their children's access to books to institutions, pressuring them to make controversial literature harder to find, even for adult patrons.

Second, I am concerned that SB 2307's demand that allegedly sexually explicit materials be made *completely* inaccessible to minors will have unintended and disproportionate negative consequences for rural libraries. There is a case of a [library in Idaho](#) that had to limit its services to adults only in order to comply with a similar law that mandated that challenged titles be relocated to a restricted section. The library in question did not have a space for more than one section, requiring drastic action. While larger libraries may be able to reorganize themselves to comply with SB 2307, I fret that other institutions will not have such capacity.

Third, the bill seems unnecessary. HB 1205 from the previous legislative session pushed libraries to review their collection development policies, most of which already included the Miller Test to follow legal precedent for the treatment of obscene materials. What would attaching punishments for noncompliance—a phenomenon which quite likely does not exist in North Dakota libraries—further accomplish?

I thank you all for taking the time to read this testimony, and I hope it persuades you to render a ***Do Not Pass*** recommendation for SB 2307.