

February 10, 2025

Chairman and Senate Judiciary Committee Members –

For the record, I am Tori Lee, a citizen of Williston, North Dakota. I am writing today to urge a Do Not Pass recommendation for SB 2307.

First, this bill's use of the word "obscene" allows for too much individual discernment. This could lead to many books, including books that belong in children's sections, being removed unnecessarily because one person might find something in it that they consider obscene when the next person finds the same book completely appropriate for children. The line is too blurred and the definitions are too vague.

Second, and most concerning to me, is that the demand in this bill to keep allegedly sexually explicit materials completely inaccessible to minors could potentially eliminate not only many general library services to many communities but also almost all Bookmobiles and Mobile Libraries entirely. Many Bookmobiles are already operating with limited shelf space or space in general, so we definitely do not have space to relocate items deemed "sexually explicit" or "obscene" in order to make them completely inaccessible to minors. Because of this, a lot of us that operate Bookmobiles would be forced to choose which members of our communities we are going to choose to serve, which goes against everything libraries stand for. Libraries are for everyone and should provide materials and services for everyone. This bill would make my job impossible.

Overall, this bill is unnecessary. North Dakota libraries already have collection development policies and procedures in place that align with the Miller Test for the treatment of obscene materials. Our libraries also have some form of request for reconsideration that members or our communities can submit for review by our library boards. Because of all of this, on top of HB 1205 that was passed during the last legislative session, we simply do not need SB 2307.

Thank you all for your time reading this testimony.

–Tori Lee