

April 7, 2023

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2360

In lieu of the amendments printed on pages 1414-1416 of the House Journal, Engrossed Senate Bill No. 2360 is amended as follows:

Page 1, line 6, replace "an effective date" with "for application"

Page 2, line 13, remove the overstrike over "~~is principally made up of~~"

Page 2, line 13, remove "contains"

Page 2, line 13, remove "or written descriptions"

Page 2, line 15, remove the overstrike over "~~for commercial gain~~"

Page 2, line 17, remove "written, pictorial, three-dimensional, or visual"

Page 2, remove line 18

Page 2, line 19, replace "computer-generated image, showing or describing" with "material which"

Page 2, line 20, replace "Human masturbation" with "Taken as a whole, appeals to the prurient interest of minors"

Page 2, line 21, replace "Deviant sexual intercourse" with "Is patently offensive under prevailing standards in the adult community in North Dakota as a whole with respect to what is suitable material for minors"

Page 2, line 21, after the underscored semicolon insert "and"

Page 2, line 22, remove "Sexual intercourse."

Page 2, remove lines 23 through 27

Page 2, line 28, replace "(9) Sex-based classifications" with "Taken as a whole, lacks serious literary, artistic, political, or scientific value for minors"

Page 3, line 4, overstrike "or" and insert immediately thereafter an underscored comma

Page 3, line 4, after "walkway" insert ", public library, or public school library"

Page 3, line 12, remove "or"

Page 3, line 12, remove the overstrike over "~~;-or public library for limited~~"

Page 3, line 13, remove the overstrike over "~~access for educational research purposes carried on at such an institution by adults only~~"

Page 3, line 19, after "**Report**" insert "**- Penalty**"

Page 3, line 27, remove "child sexual abuse material."

Page 3, line 28, remove the underscored comma

Page 3, line 28, replace "pornography" with "explicit sexual material"

Page 3, line 29, replace "pornography and child" with "explicit"

Page 3, line 29, remove "abuse"

Page 4, line 8, replace "attorney general" with "legislative management"

Page 4, line 11, remove "is not exempt from"

Page 4, line 12, replace "prosecution for willful indecent exposure of child sexual abuse material or pornography" with "who willfully exposes explicit sexual material"

Page 4, line 13, after "minor" insert "in violation of this section is guilty of a class B misdemeanor."

7. As used in this section, the term "public library" or "state agency" does not include the state library"

Page 4, replace line 14 with:

**"SECTION 6. APPLICATION.** Sections 1, 3, and 4 of this Act do not apply to the state library."

Renumber accordingly