

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON JUDICIARY**

**Eighty-Third Session
April 8, 2025**

The Committee on Judiciary was called to order by Chair Brittney M. Miller at 8:30 a.m. on Tuesday, April 8, 2025, in Room 3138 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. The meeting was videoconferenced to Room 3 of the Nevada Legislature Hearing Rooms, 7120 Amigo Street, Las Vegas, Nevada. Copies of the minutes, including the Agenda [[Exhibit A](#)], the Attendance Roster [[Exhibit B](#)], and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at www.leg.state.nv.us/App/NELIS/REL/83rd2025.

COMMITTEE MEMBERS PRESENT:

Assemblymember Brittney M. Miller, Chair
Assemblymember Elaine H. Marzola, Vice Chair
Assemblymember Lisa K. Cole
Assemblymember Joe Dalia
Assemblymember Cecelia González
Assemblymember Ken Gray
Assemblymember Alexis M. Hansen
Assemblymember Melissa R. Hardy
Assemblymember Selena La Rue Hatch
Assemblymember Cinthia Zermeño Moore
Assemblymember Hanadi Nadeem
Assemblymember David Orentlicher
Assemblymember Erica P. Roth
Assemblymember Toby Yurek

COMMITTEE MEMBERS ABSENT:

None

GUEST LEGISLATORS PRESENT:

None

STAFF MEMBERS PRESENT:

Cesar Melgarejo, Committee Policy Analyst
Karly O'Krent, Committee Counsel
Aaron Klatt, Committee Manager

Minutes ID: 762



Nicholas Fischer, Committee Secretary
Ashley Torres, Committee Assistant

OTHERS PRESENT:

André C. Wade, State Director, Silver State Equality
Debi Stears, Collection Development Manager, Washoe County Library System
Brian Wallace, Vice President, Nevada State Education Association
Kaylah Maese, Civil Rights Analyst, American Civil Liberties Union of Nevada
Bri Schmidt, Program Associate, Silver State Equality
Brandon MacDougall, Private Citizen, Carson City, Nevada
Summer Merrill, Private Citizen, Yerington, Nevada
Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada
Coalition of Legal Service Providers
Malcolm Greer, Private Citizen, Las Vegas, Nevada
Linda Cavazos, Private Citizen, Henderson, Nevada
Chandler Cooks, Private Citizen, Las Vegas, Nevada
Anna Binder, Private Citizen, Clark County, Nevada
Naseem Jamnia, Private Citizen, Reno, Nevada
Candace Powell, Private Citizen, Nevada
Luiza Benisano, Campaigns and Community Engagement Manager, Planned
Parenthood Votes Nevada
Ilya Arbatman, Private Citizen, Reno, Nevada
Chanelle Bessette, Private Citizen, Reno, Nevada
Jenny Okawa, Private Citizen, Pahrump, Nevada
Tara de Queiroz, Private Citizen, Reno, Nevada
Erin Ketcham, Private Citizen, Reno, Nevada
Janet Serial, Private Citizen, Sparks, Nevada
Nichole Beer, Private Citizen, Las Vegas, Nevada
Paloma M. Guerrero, Deputy Public Defender, Legislative Liaison, Clark County
Public Defender's Office
Angela Knott, Deputy Public Defender, Legislative Liaison, Washoe County Public
Defender's Office
Janine Hansen, State Chairman, Independent American Party
Lynn Chapman, State Vice President, Nevada Families for Freedom
Joy Trushenski, Private Citizen, Henderson, Nevada
Lorena Biassotti, Private Citizen, Las Vegas, Nevada
Leslie Quinn, Private Citizen, Las Vegas, Nevada
Yadusha Jones, Private Citizen, Las Vegas, Nevada
Kelly Quinn, Private Citizen, Las Vegas, Nevada
Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada
Lydia Dominguez, Private Citizen, Clark County
Karen England, representing Take Back the Classroom
Bruce Parks, Private Citizen, Reno, Nevada
Candra Evans, Private Citizen, Las Vegas, Nevada

Bruce Foster, Private Citizen
Kimberly Johnston-Lindsay, Private Citizen, Henderson, Nevada
Elena Barbera, Private Citizen
Heather Kolodny, Private Citizen, Nevada

Chair Miller:

[Roll was called. Committee protocol was explained.] I will not be doing the agenda in order today—the work session will not be until the end of today's meeting. We have one bill today. I will be handing the gavel over to Vice Chair Marzola. Give us a few minutes to get settled and then we will begin.

[Assemblymember Marzola assumed the Chair.]

Vice Chair Marzola:

The Committee will now come back to order. I will open the hearing on Assembly Bill 416.

Assembly Bill 416: Revises provisions concerning access to certain library materials in public schools. (BDR 34-925)

Assemblymember Brittney M. Miller, Assembly District No. 5:

Assembly Bill 416 aims to protect students' rights to access information and prevent undue censorship in our schools, institutions of higher learning, and public libraries, while also providing protection for our educators and library workers. This bill has been a labor of love and democracy and liberty in collaboration with the ACLU [American Civil Liberties Union], Silver State Equality, the Prickly Pears, librarians, and a library board trustee who sadly is afraid to come forward for what she has already experienced and fear of further retribution. You will see my copresenters with me. I will introduce them again—I have Debi Spears and André Wade down there in Las Vegas.

The importance of this legislation cannot be overstated. In recent years, we have seen a troubling rise in attempts to ban books from school libraries across the country and here in Nevada. According to the American Library Association (ALA), there were 4,240 unique titles targeted for censorship, as well as 1,247 demands to censor library books, materials, and resources in 2023. Additionally, the ALA tracked 37 states that have brought forward 123 adverse censorship proposals, while 20 states are bringing forth Right to Read measures.

Here in Nevada, we have seen our own censorship efforts. In June 2024, dozens of book ban advocates read excerpts to the Washoe County School Board in an attempt to get books they deemed inappropriate banned from school libraries. This group—which included some school board candidates—accused the [Washoe County School] Board of permitting vulgarity to be at the fingertips of children. Between the 2022 and 2024 school years, CCSD [Clark County School District] received 13 book challenges, none of them resulting in the removal of the books. Assembly Bill 416 strikes a careful balance between protecting students' rights and the public's rights to access information, and ensures decisions about

library materials are made based on educational merit rather than political pressure, personal opinion, or agenda.

Since July 2021, PEN America has documented book bans in 42 states. The top two reasons—books featuring gay and transgender characters, and race. In fact, PEN America documents more than one-third of the books involved characters of color or themes of racism. It is not about obscenity like they say, and I will give you the legal definition of obscenity later. At this point, I would like to take us down to Las Vegas where André Wade, the state director for Silver State Equality, will give us a few brief remarks about the value of having these subjects accessible to the public.

André C. Wade, State Director, Silver State Equality:

I am the state director for Silver State Equality, a statewide LGBTQ+ supervised organization here in Nevada. I want to thank Assemblymember Miller for bringing forth this bill. We are in support of A.B. 416 because we are concerned with the attempts to ban and reclassify books in various counties across Nevada that often have an LGBTQ+ theme—also books written by and about Black and other people of color. Book banning is a form of censorship; having access to books and library materials is a First Amendment right. The First Amendment is not just about free speech, but also about freedom of information. We want to protect the freedom of parents to decide what their children are allowed to read or not read.

For a couple of years now, there have been attempts to ban, reclassify, or reshelve certain books dealing with race, gender, and relationships. In 2013 in Pahrump, library board members began discussing a policy that would impact LGBTQ+ books because of a complaint from one anonymous constituent. When a few months later, in August, the library board was presented with research about what other jurisdictions similar to Pahrump were doing about children's books dealing with race, gender, and relationships, they found out of 42 libraries across the country only six shelved books after complaints. Because of this, the Pahrump library board did not remove, recategorize, or change their policy.

In addition to book ban attempts, there have been librarians who have been harmed and verbally attacked. Last year in Washoe County, a librarian was injured when a self-described "First Amendment auditor" tried to force his way into a drag queen story event at the North Valleys Library on July 11. The Workplace Violence Committee convened to address concerns about the incident, and determining a pattern of escalating tension and safety risk for library staff over the past two years, decided to cancel the events. Also last year in Washoe County, there were people and groups from outside of Nevada—who live thousands of miles away from Washoe County—helping to orchestrate book ban attempts and providing testimony at library meetings. These are people and groups who do not have a stake in Nevada, but they are in our state, verbally attacking our librarians.

Nationally, most of the challenged books are LGBTQ+ themed and/or feature characters or people who are Black, indigenous, or other people of color. There are times when books written by Black authors about Black people are seen as critical race theory. Therefore, in the

minds of others, these books need to be banned. To fight against book ban attempts in Washoe County, a group called Freedom to Read started an online petition against book bans and it has garnered about 3,000 signatures today.

Let us be clear—no one wants books that are legally defined as obscene in our libraries, but we do want a variety of books written by diverse authors to be made available to those who are interested in reading them. We need to protect freedom of speech, our right for parents to choose what is in the best interest of their children, and protect library and school staff from threats of the actual violence and harassment simply for circulating books that comport with laws and policies. I thank you for your time and support for this legislation.

Assemblymember Miller:

I would like to introduce you to Debi Stears, who is a librarian in Washoe [County] and currently the collection development manager, as she shares some of her experience.

Debi Stears, Collection Development Manager, Washoe County Library System:

In my 30-plus years of librarianship, defending the right of individuals to read—defending the rights of parents to determine what their children read—has been the most rewarding and important work of my career. In Washoe County, we faced 27 book challenges in the fall of 2023, with eight of those going on to appeal to our Washoe County Library System Board of Trustees in 2024. In those challenges, part of my responsibility is to read the works in their entirety to be able to respond to the work as a whole. In doing so, I did not find stories of obscenity as the challengers alleged. Instead, what I found was stories of immigrant children trying to find how they fit with the American dream; stories of young people grappling with their identity.

The notion of libraries giving obscene materials to children—to anybody—is absurd. Obscenity is illegal across our country. Anything courts rule as obscene is not available for sale. It is not available for us to purchase from any vendor, let alone make available on our library shelves. These coordinated attacks by political groups have taken up inordinate amounts of time just reading the 27 books to be able to respond to them and to look at what people are claiming is in these books. They cherry-pick a few passages and claim this is harming children. We need to preserve the rights of parents to determine for their own children, not for grand, political theater by people who do not even have children in our schools or using our libraries. I thank you so much for taking up this measure for protecting that First Amendment access for all Nevadans.

Assemblymember Miller:

I will go ahead and walk us through the sections of the bill. The provisions of the bill—it prohibits school boards, charter school governing bodies, library districts, municipalities, and school employees or volunteers from limiting pupils' access to library materials. I should also state this does include its base per the conceptual amendment that was submitted [[Exhibit C](#)]. It allows school boards, charter school governing boards, and librarians to adopt rules or policies to limit access to library materials for reasonable time, place, and manner restrictions or preservation of safety and security. The policy cannot be based on the sex, race, national

origin, religion, gender identity or expression, sexual orientation, physical or mental disability, or political affiliation of the subject, the author, or the intended audience. It permits individuals who live within the school district and have children who attend a particular school to petition the court in order for the removal of obscene materials, only if the court determines the material is in fact obscene.

I understand there has been some opposition, some confusion, and questions as to why we are taking it to the courts. I know one of the larger school districts had created a school-based library media community committee made up of a few teachers, parents, and administration to review and determine the status of the book. However, the First Amendment is not about policy—it is about our state functioning to support the rights of its people. These small cluster groups will lead to dramatic inconsistencies between building to building. Also, with that type of a policy there will be loopholes available for people who do try to work around or obstruct access to go through, as opposed to what is written in this bill.

Instead, what we are using is the three-pronged *Miller* test that the United States Supreme Court has established for judges and juries to determine whether material is in fact obscene. If one, it appeals to prurient interests based on community standards; it lacks serious literary, artistic, political, or scientific value; and it explicitly depicts sexual acts, excretory functions, sadism or masochism, or lewdly exhibits the genitals in a patently offensive way. That is the three-pronged *Miller* test.

The bill also requires school boards and charter school governing boards to maintain a list of all library materials ordered to be removed from circulation in their respective school libraries and share the list with employees involved in library material selection and purchasing, if in fact any books have been identified by the courts as obscene. The bill prohibits dismissing, disciplining, involuntarily transferring, fining, or imprisoning school or library employees for selecting or circulating materials that are in compliance with the law.

The bill also makes it unlawful to use force, intimidation, or coercion to prevent pupils from accessing library materials or to compel school or library officials to violate the provisions of section 2. This applies to on and off school and public library property. It is unlawful to disseminate personal or sensitive information of certain school or library officials or pupils without consent in retaliation for allowing access to library materials if it is intended to promote criminal offenses likely to cause death, bodily harm, or stalking; or is done with the intent to cause harm and disregard for such potential consequences if the dissemination would cause reasonable fear of death, actual death, bodily injury, or stalking of an individual or their close relatives. A person who violates this prohibition is guilty of a category E felony.

I will close with a quote from Deborah Caldwell-Stone, who is the director of the American Library Association's Office of Intellectual Freedom. She says librarians closely follow obscenity laws. Her quote is, "Librarians are aware of these laws and do not collect illegal material. They may collect materials that some find controversial for themselves or their

families. But we firmly believe that the decision about materials, what young people read, should be guided by their parents."

We know there are multiple protection laws protecting minors from obscene material and more coming as avenues grow, especially if we just think of the inception of the Internet itself. By enacting A.B. 416, we can protect our students' intellectual freedoms and protect political and religious works of all persuasions, as well as scientific, historical, medical, and even fictional books. We can support and protect our dedicated educators and librarians, and ensure our school libraries remain places of learning, exploration, critical thinking, knowledge, wonder, and growth for all Nevadans. I urge your support for A.B. 416, and we are happy to answer any questions you may have.

Vice Chair Marzola:

Thank you for bringing this very important bill. Before we get started and I take questions, I want to give you the lay of the land today. I am going to take all of the Committee questions until they are completely done. Afterwards, I am going to limit testimony. We are going to do 30 minutes in support, 30 minutes in opposition, and 30 minutes in neutral—which means 10 minutes here in Carson City, 10 minutes in Las Vegas, and 10 minutes over the phone lines. Lastly, before I take questions, please remember I understand people feel very passionately one way or the other when it comes to this bill, but I do expect courtesy and respect in all our interactions today.

Assemblymember Roth:

A lot of people do not know my father was a teacher for over 40 years. When I was a kid, he was actually fired from a job in a very small town in California for having books and materials related to the Holocaust as a teacher of high schoolers. This bill is very personal to me, and I thank you for that. I want to be very clear, this seems very simple to me. All this bill does is put into statute from this state what we already follow and what the United States Supreme Court has already found to be the test regarding obscenities.

Assemblymember Miller:

Yes, Assemblymember.

Assemblymember Cole:

My question is on the *Miller* test. I am not super familiar with how it works and everything when it comes to the contemporary community standards. How does it work when it comes to libraries, specifically public school libraries? Is the community standard different for an elementary school versus a high school when they are coming up with what the books would be? I would imagine that it would be different, but can you explain that a bit?

Assemblymember Miller:

That is an excellent question. The three-pronged *Miller* test, when we are talking about community standards, we are referring to—there were multiple United States Supreme Court cases that led to this—what the average person in the public would consider indecent. Of

course, the average person does have different considerations for elementary school, junior high, high school, college, as well as general public libraries.

Debi Stears:

As I have searched through court documentation about what cases courts have determined an item is obscene, I have only found cases where courts have struck down as unconstitutional the restriction of materials. *Gender Queer* in Virginia is the most recent example. That was a book challenged both in the Washoe County Library System and Washoe County School District. The courts consistently side on the side of First Amendment access, even when it is controversial content.

Assemblymember Miller:

I would like to add schools also have additional layers that include academic standards, that include internal policies for the types of materials, whether instructional materials or not, then of course, even things that pertain to the reading levels of children. Those three points in themselves will make sure that there are separate materials in elementary school, junior high, and high school.

Assemblymember La Rue Hatch:

As a teacher and a parent, I am fully supportive of our students accessing materials that will help them. I actually want to build on my colleague's question. In the bill on page 3, it says the librarians can impose a reasonable restriction as to the time, place, and manner of accessing library materials. At my daughter's elementary school, they only let the kindergarten and first graders check out Harry Potter 1 and 2, but they cannot check out Harry Potter 5 and 6 because it is really scary for them. I would imagine they can still have those age-appropriate recommendations for children and for families, correct? We are not saying my first grader is now going to read high school-level texts, right?

Assemblymember Miller:

Although there are some first graders reading high school-level text, what the bill prohibits is intentional—and again, different standards for school—hiding, labeling, shelving, or destroying library materials.

Assemblymember La Rue Hatch:

So, we still have discretion to advise and to shelve where it is appropriate. We can have a kids' section; we can have an adult section. All of that still is going to exist. We are just not limiting based on these other non-obscene factors, correct?

Assemblymember Miller:

Yes, that is correct. As someone who also works in a school, the kids know where to go when they walk into the library—where this section is. Even though there is a major difference between a kindergartner and fifth grader, they know where their reading levels are.

Vice Chair Marzola:

Committee members, any additional questions? [There were none.] We will start with testimony in support of A.B. 416. We will start here in Carson City. Remember, you have two minutes each.

Brian Wallace, Vice President, Nevada State Education Association:

I am an educator in Carson City and vice president of the Nevada State Education Association, which has been the voice of Nevada educators for 125 years in all 17 counties. The Nevada State Education Association supports A.B. 416 to protect student access to library materials, as well as protect our dedicated school librarians and library assistants. The Nevada State Education Association represents school librarians and library assistants who play a vital role in supporting our students, our teachers, and our entire school community.

School libraries level the playing field by providing access to a broad range of literacy and information. As a history teacher, it is the school library that has allowed my students to access material that represents different perspectives, cultures, and ideas that foster inclusivity and inspire critical thinking.

Assembly Bill 416 has become necessary to safeguard these intellectual freedoms. Students should be able to access a wide range of ideas, perspectives, and information at their own schools. Restricting materials limits their ability to think critically and form their own opinions. As censorship efforts have targeted materials about marginalized communities, it is important for Nevada to respect and affirm diversity by ensuring a variety of cultures, experiences, and viewpoints are represented in the materials available. Students truly benefit from seeing themselves reflected in the materials and the books they read. The Nevada State Education Association asks for your support of A.B. 416.

Kaylah Maese, Civil Rights Analyst, American Civil Liberties Union of Nevada:

As Assemblymember Miller mentioned, we were part of the working group for this piece of legislation, which we were grateful for the opportunity. We support A.B. 416 and encourage the Committee to support as well.

Bri Schmidt, Program Associate, Silver State Equality:

Thank you, Assemblymember Miller, for sponsoring this bill. Speaking in support of A.B. 416. I am a program associate with Silver State Equality—a Nevada statewide LGBTQ+ civil rights organization—but I am also a lifelong reader, a former teacher, and a self-professed library kid.

Books offer a freedom of information that little else can. If Nevada wants to protect its artists, writers, librarians, students, parents, teachers, and others, protections like the ones provided in A.B. 416 are a necessity. In my discussions with public librarians, school librarians, students, and parents alike, one theme has rung true—these book bans and challenges have not served to protect children, but instead created an environment of fear where students watch as book challenges claim their very existence is obscene and does not deserve to be seen. No child should leave a library feeling unseen. Assembly Bill 416 will

help make sure every Nevadan—children included—has access to narratives that represent them and their lived experiences.

Brandon MacDougall, Private Citizen, Carson City, Nevada:

I am here to support the passage of this bill. I have a few things to say. First, on fascism—somehow, after putting a stop to fascist regimes during the Second World War, we have allowed fascism to emerge here in the United States. Book bans fit right into the fascist playbook and should never be part of our discourse. Failure to pass this bill would be the first step on that dark path. Second, myself and my fellow veterans swore to uphold the *Constitution*. Last time I checked, the First Amendment was still valid, protecting speech, whether or not a particular person disagrees with that speech.

Finally, I am the parent of a fourth grader and seventh grader in the Carson City School District. I have full faith in our librarians who are trained and paid to manage libraries in the schools. Access to all books opens my kids' eyes to the diverse communities they live in. Access to all books helps every kid learn that their voices matter no matter their race, religion, or sexuality.

Summer Merrill, Private Citizen, Yerington, Nevada:

When I was in the third grade, I read a book called *Number The Stars* by Lois Lowry. It tells the story of a young girl who, along with the help of her family, helps her Jewish friend escape over the border from Nazi-occupied Denmark into Sweden. It was the first time I had seen someone like myself—a young girl—wrestling with her own fears but choosing to be brave. From there, I went on to read *Anne of Green Gables* and *Little House on the Prairie*, Ramona Quimby, and *The Baby-Sitters Club*. I am so incredibly fortunate because the world is full of stories about girls—about women—who look, who speak, and who act exactly like me.

As I got older, my taste became more varied and I craved stories about people who looked, and acted, and spoke differently than I did. Reading these stories allowed me to connect with people in a way reality could not. Through reading I have learned people tend to fear what they do not understand, and those who seek to limit what other people read—while sometimes well-intentioned—are often misguided. People fear new ideas, they fear change, they fear the loss of power and control, but most of all they fear they may become a product of what they read. I am here to tell you I have read broadly and widely across generations and genres, and I am more sure of who I am and who I was than ever before.

Assembly Bill 416 never can and never will force you or your children to read something you are opposed to. Rather, it will ensure future generations of children will have the same opportunity I had to discover themselves through literature. Everyone has a story to tell, and when we start to debate whose stories are worth preserving, in a sense we are debating who is worth preserving. I hope you will think about the stories that have made you who you are today and vote in favor of A.B. 416.

Jonathan Norman, Statewide Advocacy, Outreach and Policy Director, Nevada Coalition of Legal Service Providers:

We represent foster kids throughout the state, and libraries are a beacon for everyone, I think. If I have a choice of standing with librarians and parents to say they can make good decisions for their kids—librarians can curate the libraries and provide age-appropriate books—that is the side I am going to be on. I really loved the last two commenters; they had really touching testimony and I think I would stand with those comments as well.

Vice Chair Marzola:

Is there anyone else in Carson City wishing to testify in support? [There was no one.] Is there anyone in Las Vegas wishing to testify in support of A.B. 416?

Malcolm Greer, Private Citizen, Las Vegas, Nevada:

I strongly support A.B. 416 because it safeguards students' access to diverse library materials in our public schools. Libraries are essential places for exploring ideas and fostering critical thinking. Assembly Bill 416 ensures library materials remain accessible to students, protecting against arbitrary censorship. By supporting A.B. 416, we uphold intellectual freedom and ensure our students have the resources they need to become thoughtful, informed citizens. I respectfully urge you to pass this important legislation.

Linda Cavazos, Private Citizen, Henderson, Nevada:

Although I hold the office of Clark County School District (CCSD) trustee, I am speaking today as an individual in support of A.B. 416. As a former educator in CCSD and UNLV [University of Nevada, Las Vegas], as a licensed mental health provider, and as the parent and grandparent of several children and grandchildren who have graduated from CCSD, I have had countless opportunities to actively engage with young people in all kinds of settings. Their unique and distinctive voices at various turns surprised, delighted, confused, and yes, sometimes even angered me. But all of them were so very important, whether they happened at home, in the classroom, or in a therapeutic setting, because they all enjoyed the same freedoms of speech, thought, and the freedom to read, with the last privilege being one that for many is largely provided by our school libraries, where wonderfully diverse reading materials captivate, amaze, and enthrall students of all ages.

All of our children should be able to see themselves in library books and to feel represented in the stories they choose to read—not restricted and limited by another person's or group's standards and/or biases. No person in a governing or school employee capacity—especially our trained library professionals—should ever be subjected to threats, coercion, or intimidation of any kind in an effort to influence the limiting of library materials access. This bill would make such actions a felony, and would remove said individuals from shouldering that responsibility when existing law already provides proper legal process.

Our First Amendment freedoms are for everyone—not just some—to enjoy, and our school libraries constantly open up new worlds for our students. I urge you to support and pass A.B. 416 so the fear of subjective book bans is replaced by the absolute joy of reading, for both our children and the adults who teach, empower, and inspire them every single day.

Vice Chair Marzola:

Is there anyone else in Las Vegas wishing to testify in support? [There was no one.] Is there anyone on the phone who would like to testify in support of A.B. 416?

Chandler Cooks, Private Citizen, Las Vegas, Nevada:

I am a strong supporter of A.B. 416 because what is at stake here is more than just books on the shelf—it is the soul of the public education system, the integrity of our intellectual freedom, and the safety of those who defend it. No student has been harmed by access to information, but countless students have been harmed by the absence of it. In an era of rising political aggression, where educators have faced online abuse, threats, and job loss, this protection is not just timely, it is essential. This bill does not say all books belong on every shelf, but what it says is no book should be removed simply because it makes someone uncomfortable, especially when that comfort is rooted in fear of difference, progress, or truth.

The American Library Association found students with access to diverse materials demonstrate higher critical thinking skills, stronger reader comprehension, and greater civic engagement. On the flip side, censorship creates a chilling effect, not just on students, but on teachers and librarians who fear retaliation for doing their jobs. We should be teaching students how to think, not what to think. We cannot prepare them for democracy by shielding them from complexity, and we cannot champion critical thinking while criminalizing curiosity.

This bill is responsible. It is not about indoctrination; it is about education. It does not force any child to read any book, but it preserves the right for every child to find themselves on the page. If we are serious about equity, if we are serious about education, then we must be serious about passing A.B. 416. Nevada should lead where others have faltered. Let us be the state that chooses freedom over fear, access over exclusion, and truth over science. I urge you to support.

Anna Binder, Private Citizen, Clark County, Nevada:

I am calling in strong support of this bill because it defends intellectual freedom and ensures access to books is not dictated by the personal beliefs of a vocal few. Right now, there is an illegitimate war against books, an effort by some to censor what other people's children can read. Parents have always had the right to guide their own child's reading, but that does not give them the right to restrict access for everyone. This bill makes it clear public schools and libraries should not be subject to undue pressure, intimidation, or threats from those who want to ban books based on personal or political beliefs.

We trust our librarians to build collections that reflect diverse perspectives, literary value, and the needs of all students. This bill ensures they can continue doing so without fear. It also holds accountable those who engage in harassment or coercion to force censorship on our schools. I urge you to support this bill and take a stand for the freedom to read, learn, and explore ideas.

Naseem Jamnia, Private Citizen, Reno, Nevada:

I am a traditionally published author calling to support A.B. 416. I am also part of the steering committee for Freedom to Read Nevada and the Nevada chapter co-lead for Authors Against Book Bans, which has over 3,800 members nationwide. As an author, little is more devastating to our careers than attacks on our books. For those of us who write for kids, being told our stories are inappropriate because they contain our truth is tantamount to being told we should not exist—which means the kids we were should not have existed either, which means current kids who are like us do not deserve to see themselves in books.

My friend and colleague Adib Khorram's debut young adult novel *Darius The Great Is Not Okay* is a multiple award-winning book that has been translated into over half a dozen languages and has also been banned. This book follows an Iranian-American teen who has clinical depression like his white American father. As a child to Iranian immigrants, I did not see myself in a book until I was 21. I was a voracious reader and a library kid in inner city Chicago, yet never saw my autistic brother meaningfully on the page, nor my Persian heritage, nor even an immigrant background.

In the nineties, my parents did not know I could have clinical childhood depression. I think about what a book like *Darius* could have meant to a kid like me. Perhaps it would have contextualized my first suicidal ideation at 13, or self-harm throughout high school, or first suicide attempt at 20. Challenging and banning books because adults are uncomfortable with the multiplicity of life experiences they share does a disservice to kids and teens at best, and actively harms them at worst. They urge you to protect books in our schools and libraries by passing A.B. 416.

Candace Powell, Private Citizen, Nevada:

I am calling in support of A.B. 416. I am a mother of two school-age children. My oldest daughter loves library; it is her favorite class at her elementary school. Speaking to her librarian at her school—a 25-year school librarian—I cannot imagine taking away her ability to do her job. I trust she knows how to do her job. She is one of the most dedicated people I have ever seen. I support A.B. 416 because librarians are already trained in making age-appropriate selections for books. Book bans have historically and consistently been on the wrong side of history. As a proud fourth-generation Nevadan, I cannot stand and see my state be on the wrong side of history. Book bans have no place in Nevada.

Luiza Benisano, Campaigns and Community Engagement Manager, Planned Parenthood Votes Nevada:

I would like to ditto in support of A.B. 416.

Ilya Arbatman, Private Citizen, Reno, Nevada:

I am a resident of Reno, Nevada, and a bookstore owner. I help run one of the few independent bookstores in northern Nevada. I am also a member of the Freedom to Read Coalition. Libraries—both public and school—were always intended to be, and must always remain, places where different experiences and points of view coexist. People use libraries to

access the incredible diversity of human thought and opinion, to see themselves reflected, and to discover stories and ideas they can never encounter elsewhere.

Library shelves will always be controversial. You can always find a book you vehemently disagree with, even a book that deeply offends you. After all, controversy is the point of information and knowledge. To challenge closed-mindedness and to constantly expand dialogue as we work together to build a better world—that is what the State Legislature does. You hear differing opinions, discuss them, and make an informed decision with as much dialogue and information as possible at your disposal.

Accusations of obscenity do have their proper place. Laws regarding obscene materials already exist, and they govern not just what libraries can stock on their shelves, but what books can be published in the first place. By the legal definition currently existing, obscene materials cannot be published and distributed, and would therefore have no way of appearing on a library shelf. It is vital we adhere to this legal standard.

Contemporary attempts at book bans target material that offends them and is deeply empowering and important to others. Material of this nature has always been, and must always remain, on library shelves. Allowing one group of people to dictate what everyone has access to defeats the purpose of libraries, and turns them from institutions of learning into institutions of indoctrination. Protect everyone's freedom to read and our culture's ability to learn and grow. Controversy is inevitable, we need it to be a truly democratic society. Keep book bans out of public and school libraries. I strongly support A.B. 416.

Chanelle Bessette, Private Citizen, Reno, Nevada:

I am a concerned citizen and former library kid from Reno, Nevada, who is in strong support of A.B. 416. I am calling in today as a passionate advocate for the freedom to read. Reading has always been a cornerstone of my life, expanding my horizons and shaping my understanding of the world. I firmly believe it is our duty to protect this invaluable right and resist any attempt to impose a viewpoint-based censorship. The bans tell us we should hide the stories that do not align with our particular worldview. These bans stifle creative thinking and the very empathy that makes us human.

As a society, we should foster open-mindedness and community-based thinking by encouraging a diversity of ideas, opinions, and stories. These censored stories often portray the real-life thoughts, beliefs, and experiences of marginalized groups, especially people of color, women, and members of the LGBTQ+ community. These stories are true, valid, meaningful, and deserve to be read. I would much rather live in a democracy that errs on the side of literary freedom than one that submits to a vocal but misguided minority who seek to repress our intellectual community.

By supporting A.B. 416, we safeguard our intellectual freedom and empower future generations to explore, learn, and grow through the world of literature. Together, let us ensure every person has the opportunity to experience the transformative power of reading.

Jenny Okawa, Private Citizen, Pahrump, Nevada:

I am one of the leaders of Indivisible Nye County Prickly Pears. I am a lifelong reader and patron of public libraries. I am deeply concerned about the growing attacks on our freedoms and those who stand to protect them. In particular, I am extremely concerned about our local library here in Pahrump. The chair of the library board has removed our library from the American Library Association, and he seems determined to remove and reclassify books, as Mr. Wade mentioned in his earlier comments. I am in full support of A.B. 416 and urge you to vote yes to protect our classrooms and public libraries, and protect our freedom to read.

Tara de Queiroz, Private Citizen, Reno, Nevada:

I have two high school-age kids, and I am a member of the steering committee of Freedom to Read Nevada. I grew up as a library kid, and when I took my own kids to storytime with the wonderful Washoe County librarians, I was delighted to find that kids' books have become much more diverse. My kids are mixed-race, and one identifies as queer. They have always brought home piles of library books. Several years ago, my husband and I realized that in some ways our kids know more about the world than we do, and it is because of all of the books they have read. For example, as some of their friends have come out as trans, they have instructed us about the correct use of their friends' pronouns.

When I learned some of the precise books that have widened my kids' worldview were being challenged in Washoe County Library, I started going to trustee meetings. The public comment I heard in support of book bans clarified what was motivating these challenges. I heard a lot of homophobic and transphobic hate speech packaged as an effort to protect children. It is easy to connect the dots from this to national efforts to further marginalize queer people and people of color. The meeting where the trustees voted on the book challenges was a nail-biter, and in the eleventh hour, the challenges were rejected.

However, I expect more books will be challenged, and with trustee positions frequently turning over, I worry a future challenge will be successful. My family has trusted our librarians since the days of toddler storytime. My kids do not need to be protected from books—the only thing they might need protection from is bigots who want to erase them. With A.B. 416, you have the opportunity to ensure all kids can continue to go to the library and find books that affirm their existence.

Erin Ketcham, Private Citizen, Reno, Nevada:

I am a constituent of Reno and a volunteer with Freedom to Read Nevada. I am testifying in support of A.B. 416. I feel very strongly all students have the right to read and learn free from censorship. Published material is an integral source of information for all students. Each family should be able to decide what books are appropriate for their children to read, but they have no place making that decision for other families. What is appropriate reading material for children is highly dependent on each child's comprehension levels, lived experiences, and family dynamics. However, all students have a First Amendment right to read and learn about history and viewpoints of all communities, including their own identity, inside and outside of the classroom.

In school, I was an advanced reader and often read books beyond what many families would consider is appropriate for my age level. However, that was not a decision for them to make. Many materials necessitated conversations about the topics and context of the books with my parents, teachers, and librarians. In turn, this access and exposure to many viewpoints fostered conversations with those trusted adults that helped me better understand the complexities of our society and my positioning within those complexities. At its core, it is also what stoked my love for civil service, drive to complete my higher education, and desire to actively support and mentor young members of my community.

Like myself and many other curious new scholars before me, all young people deserve to be able to see themselves and the issues that impact them reflected in the book they are reading, and greatly benefit from having access to an inclusive education where students can freely learn about history, perspectives, and ideas from all communities. I urge the Committee to support [A.B. 416](#).

Janet Serial, Private Citizen, Sparks, Nevada:

I am a resident of Washoe County, having attended the Washoe County School District. I am an avid, lifelong reader, and I am calling in support of [A.B. 416](#). My love of reading began in elementary school—attending Glenn Duncan Elementary School in northeast Reno—where I had access to a variety of books. It was there I learned about the civil rights movement and those who fought for freedoms. I also have four daughters and a granddaughter, all of whom were born in Washoe County and raised in northern Nevada. I urge you to support and vote yes for [A.B. 416](#).

Nichole Beer, Private Citizen, Las Vegas, Nevada:

I come before you today to speak in support of [A.B. 416](#). I am actually a victim of some of the things [A.B. 416](#) would provide comfort for. I have been doxed by a sitting trustee of the CCSD Board of Trustees. I am a teacher librarian in Clark County. I have been called a pedophile, I have been called a groomer, I have had death threats—and so on and so forth—against my life. This is something that might seem like hyperbole, and this kind of thing is not happening—it has happened to me, and it has happened to other individuals in the library sphere. In fact, one group last night actually called into question Assemblymember Miller's fitness to hold office because she does not have children. This is happening; we need protection; it needs to be a felony.

I support [A.B. 416](#) because I think book bans have no place in our community, and parents are the best poised to make those decisions for their children. Please give me the protection and comfort I need to be able to sleep at night knowing I am safe and people who would dox me and threaten my life would be prosecuted to the full extent of the law.

[Vice Chair ended testimony because of time limit.]

[[Exhibit D](#), [Exhibit E](#), [Exhibit F](#), [Exhibit G](#), [Exhibit H](#), [Exhibit I](#), and [Exhibit J](#) were submitted but not discussed and will become a part of the record in support of [A.B. 416](#).]

Vice Chair Marzola:

We will move to testimony in opposition to A.B. 416. Is there anyone in Carson City wishing to testify?

Paloma M. Guerrero, Deputy Public Defender, Legislative Liaison, Clark County Public Defender's Office:

Our opposition is specific and limited to section 3, subsection 4. We believe in the spirit of the bill—books are extremely important, and libraries are one of the last safe places we have in our society. You can always catch us hanging out in the library in this building, and I see my library card as my greatest life hack. We agree with everything that was said about the importance and value of this bill. Our concern is just with the felony criminal penalty. Our thought is a hefty civil penalty would be a better deterrent in this case, and also to add liability for an organization if they are representing that organization.

Angela Knott, Deputy Public Defender, Legislative Liaison, Washoe County Public Defender's Office:

Like my colleague from Clark County just stated, our only opposition is to section 3, subsection 4. We believe you should never limit freedom of expression. Banning books can stifle innovation, social change, and personal growth that come from questioning existing ideas and exploring new ones. However, the category E felony we believe is unnecessary in this bill. There are already crimes on the books that can take care of these situations, the biggest one being coercion, and coercion is a category B felony.

We believe in adding to the crimes that are already on by doing the civil penalties and allowing for civil suits that not only go after the independent person who might have violated this act, but any kind of group or organization supporting these individuals. By allowing and opening up civil suits, I think that would help deter the crimes we are trying to prevent.

Janine Hansen, State Chairman, Independent American Party:

We feel this bill violates the spirit of the *United States Constitution*. It removes our elected officials, our school board, and the governing bodies of higher education from the decision-making process. It removes parents and it removes the community. It makes the librarian a virtual dictator unless someone has the money to hire an attorney and go to court.

The *United States Constitution*, in Article 4, Section 4, says, "The United States shall guarantee to every State of the [*sic*] Union a Republican Form of Government." In the *Nevada Constitution* in Article 1, Section 2, it states, "All political power is inherent in the people. Government is instituted for the protection, security and benefit of the people." In *Nevada Revised Statutes* (NRS) 126.036 it states, "The liberty interest of a parent in the care, custody and management of a [*sic*] parent's child is a fundamental right." In the United States, parents have a fundamental right to make decisions concerning the care, custody, and control of their children as rooted in the 14th Amendment due process and affirmed by the United States Supreme Court. This right includes guiding their children's upbringing, education, and religious practices.

We are very concerned the process of our elected officials is removed unless we have the money to go to court and sue. I have often taken my grandchildren to the library in Elko. I agree there are many important things in Elko, but I think communities, parents, our elected school board, and our elected members of higher education should be part of the process and not a librarian only.

Lynn Chapman, State Vice President, Nevada Families for Freedom:

This is a written statement before the United States House Committee on Education and Workforce. It is, "Combating Graphic Explicit Books in School Libraries," by Nicole Solis, Senior Fellow at the Education Freedom Center.

It is important to identify the nature and scope of graphic and sexually explicit books in school libraries. This is not an occasional problem. On the contrary, the amount of sexually explicit books in school libraries is extensive and vast.

The American College of Pediatrics warns that children suffer many negative effects due to modern society's exposure to an acceptance of pornography. These negative effects include mental disturbance and unrest for the young school age child, including acting out in violent behavior. Because of its harmfulness to children, pornography must never be used as a tool to teach children human sexuality.

During the 2017-18 academic year, there were 13,799 reported incidents of sexual violence in public schools—a 43 percent increase from the year prior . . . there is no universal, codified system to inform parents of graphic or explicit content in school library books. Other media such as movies, radio, music, and the internet have long-standing rating systems or restrictions that recognize the importance of protecting children from inappropriate content.

The First Amendment allows schools to remove materials that are "pervasively vulgar" or not "educationally unsuitable" under *Board of Education v. Pico*.

No amount of diversity sanitizes sexually explicit content for children's eyes and the American Library Association should be held accountable for deceiving the public at the expense of children.

These are some of the complaints parents and taxpayers have with their libraries. They do belong to the people.

Joy Trushenski, Private Citizen, Henderson, Nevada:

There was an article on Channel 8 News Now Investigates [*sic*] and the heading is, "I do not like your dick, Las Vegas parents sue school district over daughters 'pornographic' assignment." A 15-year-old girl, a student at a Clark County school, was given an assignment that was pornographic, in fact, too pornographic to be described at a school board meeting.

I will give just the last excerpt of it. It is a young woman telling her ex-boyfriend, she says, "I do not love you. It is not you. It is just, looks down, your dick. I do not like your dick or any dick in this case. I cheated Joe." And then she goes on to say, I am a blanking lesbian. I am not going to say the word; I do not like it. I never love you, or any man, or any blanking dick. I hope you find a nice straight girl because that is not me, and I am tired of pretending that it is.

We are talking here about pornographic material, having our children allowed access to, and that is what I am against. This is so morally reprehensible, and you should be ashamed of yourself for allowing that kind of stuff.

Vice Chair Marzola:

You are more than welcome to provide testimony, but I do not want you saying any disparaging things about this Committee. If you would like to finish, you are more than welcome.

Joy Trushenski:

I apologize. Parents, not government officials, have the right to dictate what their children are taught. This bill is morally offensive and unacceptable. You should be concentrating on proper education of our children and not the sexualization of our children.

Vice Chair Marzola:

Is there anyone else wishing to give opposition in Carson City? [There was no one.] Is there anyone wishing to testify in opposition to A.B. 416 in Las Vegas?

Lorena Biassotti, Private Citizen, Las Vegas, Nevada:

When I learned about this bill yesterday, I immediately arranged for my kids to be taken to school this morning. As I drove over here, I could not shake a disturbing thought—while we are busy getting our kids ready, preparing their clothes, packing their lunches, rushing them to school on time, someone in our state capital is actively working to undermine us. We are facing an epidemic of sexual impropriety in our schools, and this is your response? At a time when we should be taking steps to rebuild trust with parents who have fled public schools in droves, you instead chose to erode the love and authority we have over our children.

Let us be clear, you are not stopping book bans. You are obstructing parents from removing obscene books like *Gender Queer*, that depicts teenage oral sex, from school libraries and charge them with felonies. Has it occurred to you that maybe this is the reason for escalating tensions? These are not coordinated attacks. These are parents who are worried. Are concerned parents criminals to you? Do you even realize what it is like to raise a child in a world where we must constantly guard them against oversexualized exposure? You do not. We speculate about the drop in public school enrollment, but is it not telling that Christian and other public private schools are seeing growth? Why do you think that is? Perhaps it is because their libraries do not stock vile materials and parents are not threatened with felony charges for trying to remove them.

The government was not meant to be weaponized against its citizens. Parents are not going to wait to go to court as balance, they are going to be pulling their kids out of public schools. Now, speaking to you as an elected official—of course, speaking for myself—72,000 Nevada citizens place their trust in me to make decisions on behalf of students of Clark County because of issues like these. What an outrageous abuse of power for you to threaten to punish even trustees with a felony for curating library books. You are hurting our schools. I am calling on Governor Lombardo to crush this affront to the citizens of Nevada, and I am urging every resident of Assembly District No. 5 to vote. [unintelligible]. She betrayed the trust in parents.

Leslie Quinn, Private Citizen, Las Vegas, Nevada:

A big ditto on that opposition. I oppose A.B. 416. The First Amendment of the *United States Constitution* protects the five fundamental freedoms of U.S. citizens—the freedom of religion, speech, press, assembly, and the right to petition the government. I have taught children to read for many years. Assembly Bill 416 is not about children having freedoms, but in desensitizing their innocence. Assembly Bill 416 marginalizes children's innocence through the continued allowance of pervasively vulgar literature in schools. Damaging children's innocence should not be the target, no matter what their sexuality is. Are we as adults not here to protect children, to be a shield to them from harm? Where is the common sense in encouraging children in literature that is pervasively vulgar and not reading that? As adults, we are here to guide our children in that which is true and honorable. When they are older—18 and above—they can choose their own way.

Assembly Bill 416 is a legal doorway for access to pervasively vulgar literature, no matter what the age of appropriateness is for a child. It will ultimately silence parents from standing up for their children regarding educational material their tax dollars are paying for. It is a doorway for children to be okay with being sex trafficked.

Also, the push for those fighting against pervasively vulgar books being a category E felony—which would be imprisonment for up to 15 years—is pretty excessive. Sadly, the First Amendment is not democratically supported when constituents or parents speak up in defense of their children. Those in public office, whether CCSD or elsewhere, should remember they are in office because your constituents allegedly voted you in to be a voice for them; not to represent only a specific sect, group, or agenda. Pervasive vulgarity has no place in a child's learning at a public school or school at all. Vote no and oppose A.B. 416. [Written testimony was also provided, [Exhibit K](#).]

Yadusha Jones, Private Citizen, Las Vegas, Nevada:

I am the chairwoman of Moms for Liberty. I am speaking as a mother of CCSD children; an aunt of over 20 nieces and nephews inside of CCSD. As a Black woman, I find it very offensive that people use what I look like as an excuse to suppress my voice and push A.B. 416 for that reason. I have been pushed, threatened, and spit at because I want to have a voice for my children. Assembly Bill 416 is a troubling proposal. It takes away parents' freedom of speech for their children. This legislation undermines every parent committed to our children's education. It is concerning Nevada Legislature requires judicial approval to

review a library book—suggesting 300,000 CCSD students do not need mothers, fathers, or guardians with oversight. This bill opposes potential misuse, vague definitions, and felony threats, category E penalties if we challenge unrestricted shelves too firmly, but I could be robbed for less than \$1,200 and they get a misdemeanor.

This is not about banning books or targeting identities. What I look like should not be an excuse. It is about securing parental authority. Films receive PG-13 ratings for mild language. Music carries explicit labels for similar reasons. I do not care what anyone identifies as or looks like. As a taxpayer, I should have a say as to what my children have access to without having to log in. Assembly Bill 416, however, permits no restrictions unless a court rules the content obscene, a process too low to protect our kids effectively. Over 400 Washoe County parents demanded library accountability. Clark County requires the same standards. I cannot stand by while officials say, Trust us. My children deserve a system that respects families [unintelligible] legal barriers. Teachers teach, administrators provide parent-moderated support, parents lead and protect.

Vice Chair Marzola:

Thank you for your testimony. Is there anyone else in Las Vegas wishing to testify in opposition?

Kelly Quinn, Private Citizen, Las Vegas, Nevada:

Nevada Revised Statutes Chapter 201 does define what obscenity is, as well as exhibition and sale of obscene materials to minors. Both of those sections also have exemption clauses for schools, universities, libraries, and museums. The schools have historically been pushing these books, and obscene materials—pornography—into the school system and the libraries. I have shown up and testified at the school board hearings as well.

I am pointing out that I work in a state prison system, and pornography is allowed in a male prison. There are four basic restrictions: cannot have penetration of any kind; cannot have children in suggestive poses; gang materials; and gun materials. The books that have already been named here would not even be allowed in a men's prison, but yet we are pushing it into the school system. We are vilifying the trustees and the parents who might show up and make an issue of that.

One of the things with this bill, what problem does it truly solve? It is solving the problem of a parent showing up and testifying to a school board meeting that they are upset about their children being provided pornographic materials. We need to oppose this bill. The First Amendment does give the freedom of speech. However, it also gives the freedom of assembly and the freedom to petition our government for redress. We cannot restrict parents from showing up to these meetings and board hearings to oppose, and potentially be looking at a category E felony for it.

Vice Chair Marzola:

Is there anyone else in Las Vegas wishing to testify in opposition? [There was no one.] Is there anyone on the phone who would like to testify in opposition to A.B. 416?

Cyrus Hojjaty, Private Citizen, Las Vegas, Nevada:

I do respect the fact the First Amendment is trying to be protected. However, I will echo the comments made by the defender's office—please remove the felony charge. My concern is also fairness. If I wanted to, let us say, offer a book that may be considered hate speech or racist, is that acceptable? Many argue we have a double standard in our culture. I am curious about fairness, and if other voices are accepted. Best of luck.

Lydia Dominguez, Private Citizen, Clark County:

I was elected and hold the office of Clark County School District trustee, but I am calling today in strong opposition as a mother. As for this bill, A.B. 416, it would tie the hands of school board members, trustees, charter schools, and educators. It is making it clearly impossible to remove inappropriate and sexually explicit content from school libraries unless a court formally deems it obscene. This legal threshold is incredibly high and not designed for the day-to-day decisions of schools and must protect children. Let me be clear, the bill does not empower students—it disempowers parents, local school boards, and the very educators we trust with our children every day.

We already have laws on the books like NRS Chapter 201. It makes it illegal to distribute obscene materials to minors. This bill would make it harder, not easier, to follow the laws in our schools. There was a previous person—Kelly Quinn—who just mentioned we have books that are in our libraries that are not allowed in men's prisons because they are so obscene. This is really concerning, and what is more concerning is this bill would penalize trustees, teachers, and concerned citizens for trying to limit access to the content they believe is harmful. This is not protecting freedom of speech, this is silencing local voices and putting ideology over the well-being of students.

Parents struggle trying to protect their kids from pornographic materials, and we should not penalize them by having to file a lawsuit to protect their kids from this content in school libraries. This is why we are elected to school boards. Parents and community members have trusted trustees into these positions, and the decision should be in partnership with the community with the school board. I urge this body to reject this dangerous overreach and protect local control. Protect our kids.

Karen England, representing Take Back the Classroom:

I am representing thousands of Nevadans, and we oppose A.B. 416. It is unconstitutional under *Island Trees v. Pico* [*sic*]. Often in Nevada, the chair will read the consequences of false testimony, and I do not think I heard this in the beginning. I hope it applies to this hearing because the librarian testifying—as well as everyone else—should know that public schools in Nevada are exempt from obscenity laws. I do not know why everyone there is talking about obscenity laws in the *Miller* test and not *Pico*.

This is a clear attempt to silence parents, and I am going to read from one of the books that is in several high schools in your state. This is what parents are upset about.

Last night I rented a movie called *Inside Lydia's Ass* and while on two halcion and in fact sipping a Diet Pepsi, I watched Lydia—a totally tan bleached-blonde hard body with a perfect ass and great full tits—while on all fours gave head to this guy with a huge cock while another gorgeous blonde little hard body and a perfectly trimmed blond pussy knelt behind Lydia and after eating her ass out and sucking her cunt started to push a long, greased silver vibrator into Lydia's ass.

Now that is what parents are upset about—that is pervasively vulgar. Under *Pico*, the only people who get to decide what gets removed from a library happen to be the administration and school boards, those who groom and sexualize our children with our taxpayer dollars. They are the ones on the wrong side of history. We agree. Takebacktheclassroom.com agrees that under *Pico*, you cannot remove things because of political viewpoint and no one is trying to do that. Please protect minors from the sexually explicit materials, and stop using taxpayer dollars in order to [audio was lost.] like our kids. If you vote for this bill, you are voting for Lydia and her cunt.

Vice Chair Marzola:

Thank you for your testimony. Your time is up.

Bruce Parks, Private Citizen, Reno, Nevada:

Ditto all the other testimony in opposition. This bill is flagrant government overreach—taking away parents' rights, enforcing members of the community to use the court system and incur those expenses when this should be in the hands of the community. It is an obvious attempt to protect those who would sexualize and groom our children into a lifetime of struggle with what they are exposed to in our libraries. One of the books that was mentioned earlier actually contains a graphic depiction of an act of pedophilia—*Gender Queer* is the name of the book. Fortunately in Washoe County, that book is not in our school libraries, but it is in our public libraries. The only way that book could be in our public libraries is because the collections manager purchased it for our public libraries. These are the kinds of things we, the community, and we, as parents and grandparents, are trying to protect our kids from. This is not about book banning and censorship; it is about having actual standards and making sure our children are protected. [Written testimony was also provided, [Exhibit L.](#)]

Candra Evans, Private Citizen, Las Vegas, Nevada:

I sincerely request you oppose A.B. 416. You may remember me as the mom who tried to read her 15-year-old daughter's assignment at a school board meeting in Las Vegas but was shut down by the trustees. My story and the video of it went viral. What you may not know is that a lot happened before I ever went to that meeting. I found them on a monologue by accident one day; it was horrible and it was pornographic. My daughter had been required to read it, memorize it, and then perform it in front of her class. I told her it was completely inappropriate, but she argued with me and said, No, mom, it was fine because her teacher told her it was okay. I met with a member of the administration, the teacher, the counselor, and even the CCSD police—they blamed my daughter for reading it, stating she could have said no or should have said no. Never have I ever told any of my kids it is okay to go to

school and tell your teacher no if they do not like an assignment. It was absurd to me that the school tried to blame my child for not saying no to a teacher.

This brings me to [A.B. 416](#), a bad bill aimed entirely at villainizing parents and protecting government regulators when all we want to do is protect our kids from ever having to read something like my daughter had to read that day. While it was not a book, there are books like this, and I do not want to see another child have to go through what my daughter had to go through. Reading it, memorizing it, having to portray it in a classroom—she was too young to understand how wrong it was.

I have seen firsthand how hard it is to resist inappropriate material that is promoted in the classroom. If I was told my daughter should have told her teacher no, then it feels like a wrongful escalation of the law to now require parents to petition a court to get sexually inappropriate material removed. This is a great burden to parents and a great [unintelligible]. Please oppose this bill. Books are not being banned but children are being groomed.

Bruce Foster, Private Citizen:

I am a grandfather of eight elementary school children. I absolutely oppose this bill—[A.B. 416](#)—and recognizing it is completely supported by the American Library Association—in which the last president was Emily Drabinski, an avowed Marxist and a lesbian—as well as Planned Parenthood. My question we all have to ask ourselves, do we wish to protect our children's innocence? My word. I wish to bring forth a book I have also read with Washoe County Library System as well as Washoe County School District, which I was both gaveled down—*All Boys Aren't Blue*. It is available at Galena High School, Hug High School, North Valleys High School, and Reno High School. On page 266 it states in this book—and we have to ask ourselves, is this educational?

As we kissed, he began unzipping my pants. It was clear to me in this moment that he was not new to this. He reached his hand down and pulled out my dick. He quickly went to giving me head. I just sat back and enjoyed it as I could tell he was too. He was also definitely experienced in what he was doing because he went to work quite confidently. He then came up and asked me if I wanted to try on him. I said, "sure," I began. He said, "watch your teeth." I did not want to let him know I was inexperienced, so I slowed down and took my time and luckily got into a good rhythm. He did not know I was a virgin.

Vice Chair Marzola:

Sir, can you please wrap up your testimony? Your time is up.

Bruce Foster:

I would absolutely oppose this bill as it takes away the innocence of our children. I am concerned for my grandchildren.

[[Exhibit M](#), [Exhibit N](#), and [Exhibit O](#) were submitted but not discussed and will become part of the record as opposition to [A.B. 416](#).]

Vice Chair Marzola:

That is our 30 minutes for opposition. We will move to testimony in neutral. Is there anyone here in Carson City wishing to testify in neutral? [There was no one.] Is there anyone in Las Vegas wishing to testify in neutral? [There was no one.] Is there anyone on the line who would like to testify in neutral on A.B. 416?

Kimberly Johnston-Lindsay, Private Citizen, Henderson, Nevada:

The support got a lot more time than the opposition, so I wanted to take this time to say I strongly—

Vice Chair Marzola:

No ma'am, the support did not get a lot more time. Everyone got 30 minutes—30 minutes in support, 30 minutes in opposition, and 30 minutes in neutral. Opposition has closed. You are more than welcome to submit your opposition testimony in writing. We are now in neutral. Is there anyone else on the line wishing to testify in neutral?

Elena Barbera, Private Citizen:

I would like to ask you to consider the *Island Trees v. Pico* [sic] law from 1982 as you are moving forward with this bill. I also wanted to just do a reading.

Vice Chair Marzola:

Are you testifying in neutral on A.B. 416?

Elena Barbera:

Yes, I am testifying in neutral. I am just providing some more information for everyone's consideration. I would like to take into consideration one of the books in question that has been found in 22 schools so far—high schools and middle schools—across the state. I think it is important people have an idea of what we are really talking about. This is a book called *A Court of Mist and Fury* by Sarah Maas. It says, "His tongue swept my mouth again in time to the finger that he slipped inside of me."

Vice Chair Marzola:

I do not believe your testimony is neutral testimony.

Elena Barbera:

I do not think that is really for you to say.

Vice Chair Marzola:

It is. I am the Committee Vice Chair. Is there anyone else on the line?

Heather Kolodny, Private Citizen, Nevada:

As a former special education teacher, as a mother of three sons—one who is probably gay—I am gravely concerned about this bill and how it would discourage—

Vice Chair Marzola:

Are you calling to give neutral testimony on A.B. 416?

Heather Kolodny:

Asking that the bill could be fixed and remedied. May I continue?

Vice Chair Marzola:

Are you testifying in neutral?

Heather Kolodny:

As a former teacher, I know how important libraries are. As a teacher, I know how essential information is. However, libraries now have become very visually stimulating. You walk in and you know what the book of the month is about. I believe the bill can be remedied if community elected officials and a private organization are the sole judges of what is appropriate. That is the issue. There are strong feelings on both sides, and passing this bill is a grave concern as it is written. Yes, I am in solidarity on action information accessible, but I am also in solidarity with people who are gravely concerned about their voices and their judgment of their community being ignored. And why would this association of librarians [unintelligible] authority. I have not heard that addressed.

Vice Chair Marzola:

Is there anyone else on the phone? [There was no one.] Assemblymember Miller, would you like to give any closing remarks?

Assemblymember Miller:

First, I would like to say on February 21 in this very Committee, we heard Assembly Bill 197. What was fantastic about that bill were the people who testified in support—from both the extreme left to the extreme right, to the middle, and everybody in between—all came and testified in support of that bill because of the First Amendment and our First Amendment right protecting us and enabling us to donate and participate in any political or religious or nonprofit organization we choose. What is unsettling is, I did pull that list that day of those who testified in support. Interesting enough, there are people who testified in support of that bill based on the First Amendment who actually testified in opposition today.

It is actually the same First Amendment. It is the same First Amendment that gives people the right to oppose this bill. It is the same First Amendment that gave certain individuals the right to read from alleged books, as well as to come here at this very table and state the slang word for penis multiple, multiple, multiple times, yet avoiding saying other words because they may have deemed that word inappropriate or offensive as opposed to others. I work in a school that has a policy that even if a student says or writes or does something wrong with any type of word—a racial slur, profanity, anything—even I as the teacher cannot say that word out loud while reporting it.

The thought of what words can and cannot be said publicly—there are certain words we all agree should not be said—and what words can and cannot be written are the same decisions based on what books should and should not be shelved. There is a reason why it is going to the courts based on Supreme Court cases. As you heard in the testimony today, there were two school board members on opposite sides of the issue. Imagine the policy that comes from that school district that says each school can have a few parents, a few teachers, and administration make these decisions. Imagine which school board trustee you are going to get sitting at that table, and that is where the inconsistencies come because the courts are best equipped to determine what is determined offensive and what should be protected for the greater good of our entire community.

I would also like to say, while there was opposition to a category E felony, this is the same First Amendment that countless people have died for. I do not think that a category E felony charge comes anywhere close to the already countless people who have died to uphold, establish, and protect this First Amendment.

As with inconsistencies, we have heard a lot about obscenity, obscenity, obscenity, obscenity. Let me tell you how I was raised, because I was not raised just with my mother monitoring the books I read. It included the video games I played, the board games I played, the movies and television shows I watched, even including the music I was allowed to listen to—but she made those decisions for me and my sisters. She did not try to make those decisions for anyone else in the community, anyone else in the city or state. While I grew up—and I will date myself here—I was not allowed to watch Bewitched or the Smurfs. I was not allowed to play Dungeons and Dragons, because my mother believed that led you down a path to evil and wickedness. Nothing with wizards, genies, witches, anything like that. So currently, when I am in the classroom, the books that make me cringe because of my personal opinions and my personal convictions—well, I would rip all the Harry Potter books off the shelves, and yet that is a book most people deem appropriate and teachers even use in their curriculum as reading. I see kids reading books about vampires all the time and the same thing. I am concerned about violence and other subjects that come into play, but it is not my position to choose or restrict any student or any other Nevadan on what they can and cannot read.

I am sure you all would appreciate the fact that I am not given—nor is my mother given—the right to go in and restrict these books off of the shelf. It is, of course, the same First Amendment right. The same one that protects me, the same one that protects everyone who testified today, the same ones that protect my students. My students, when they are in their classroom and they have finished their work and have free time to read what they want, or they can choose a book on what they want to use as their sources for their papers, those same kids can sit quietly and read the Bible or read Harry Potter—it is the same First Amendment. I thank you, Committee, for listening; and I thank everyone who participated today in this process. I ask your support for A.B. 416.

Vice Chair Marzola:

I will now close the hearing on A.B. 416. One-minute recess.

[The Committee recessed at 10:08 a.m. and reconvened at 10:09 a.m.]

[Assemblymember Miller reassumed the Chair.]

Chair Miller:

We will come back to order. The next item on our agenda today is a work session with a number of bills. I am going to turn it over to our policy analyst who will take us through the bills and the amendments.

Assembly Bill 159: Establishes the Hope Card Program for applicants who have been granted an extended order for protection against domestic violence. (BDR 3-180)

Cesar Melgarejo, Committee Policy Analyst:

Assembly Bill 159 establishes the Hope Card Program for applicants who have been granted an extended order for protection against domestic violence, is sponsored by Assemblymember Hardy, and was heard by this Committee on March 7, 2025. [Read from [Exhibit P](#).]

Assemblymember Hardy did submit an amendment that is attached to this document, which is to amend subsection 4(c)(4) of section 1 to provide additional information the Office of the Attorney General may include on the Hope Card.

Chair Miller:

Are there any questions? [There were none.] I will take a motion to amend and do pass Assembly Bill 159.

ASSEMBLYMEMBER MARZOLA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 159.

ASSEMBLYMEMBER HANSEN SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEMBER GRAY WAS ABSENT
FOR THE VOTE.)

I will assign the floor statement to Assemblymember Hardy. Next please.

Assembly Bill 201: Revises provisions relating to the sealing of records for summary evictions. (BDR 3-843)

Cesar Melgarejo, Committee Policy Analyst:

Assembly Bill 201 expands the circumstances under which a summary eviction is sealed automatically, is sponsored by Assemblymember Roth, and was heard by this Committee on March 26, 2025. [Read from [Exhibit Q](#).]

There is an amendment submitted by Jonathan Norman, policy director of the Nevada Coalition of Legal Service Providers, to amend section 1 of the bill to revise eviction case sealing procedures, including requiring landlords to respond to tenant motions within seven judicial days, clarifying the scope of sealed records, mandating courts to state the basis for decisions, and introducing automatic sealing for eviction cases involving unjustified lockouts.

Chair Miller:

Are there any questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 201.

ASSEMBLYMEMBER MARZOLA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 201.

ASSEMBLYMEMBER GONZÁLEZ SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEMBERS COLE, GRAY,
HANSEN, HARDY, AND YUREK VOTED NO.)

I will assign the floor statement to Assemblymember Roth.

Assembly Bill 209: Provides immunity from criminal liability for engaging in prostitution or committing certain acts while engaged in prostitution. (BDR 15-781)

Cesar Melgarejo, Committee Policy Analyst:

Assembly Bill 209 provides immunity from criminal liability for engaging in prostitution or committing certain acts while engaged in prostitution, is sponsored by Assemblymember Orentlicher, and was heard on March 14, 2025. [Read from [Exhibit R](#).]

Assemblymember Orentlicher did submit an amendment which is to amend section 3 to remove provisions granting immunity from criminal liability for various crimes committed while engaging in prostitution, when a prostitute was the victim or witness of two other serious crimes. Instead, this amendment will limit immunity solely to the crime of prostitution or solicitation of prostitution when a prostitute seeks medical attention.

Chair Miller:

Are there any questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 209.

ASSEMBLYMEMBER MARZOLA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 209.

ASSEMBLYMEMBER DALIA SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEMBERS COLE, GRAY,
HANSEN, HARDY, AND YUREK VOTED NO.)

I will assign the floor statement to Assemblymember Orentlicher.

**Assembly Bill 291: Revises provisions relating to records of criminal history.
(BDR 14-676)**

Cesar Melgarejo, Committee Policy Analyst:

Assembly Bill 291 revises provisions relating to records of criminal history, and is sponsored by Assemblymembers Jackson, Moore, Roth, and González, et al. and was heard on March 5, 2025. [Read from [Exhibit S.](#)]

Assemblymember Jackson did submit an amendment, which is attached to this document, to delete section 1 of the bill pertaining to the sealing of certain records relating to arrests.

Chair Miller:

Are there any questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 291.

ASSEMBLYMEMBER MARZOLA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 291.

ASSEMBLYMEMBER GONZÁLEZ SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEMBERS COLE, GRAY,
HANSEN, HARDY, AND YUREK VOTED NO.)

I will assign the floor statement to Assemblymember Jackson.

Assembly Bill 320: Revises provisions related to criminal justice. (BDR 14-810)

Cesar Melgarejo, Committee Policy Analyst:

Our next bill is Assembly Bill 320, which is sponsored by Assemblymember Jackson and revises provisions related to criminal justice. [Read from [Exhibit T.](#)]

Assemblymember Jackson did submit an amendment, which is to replace section 1 with a legislative declaration promoting access to justice and prohibiting penalties for courtroom attire, deleting bail-related provisions in sections 2 through 4, and amending section 5 to authorize rather than require a pilot employment program.

Chair Miller:

Are there any questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 320.

ASSEMBLYMEMBER MARZOLA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 320.

ASSEMBLYMEMBER COLE SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEMBER GRAY VOTED NO.)

I will assign the floor statement to Assemblymember Jackson.

We are rolling Assembly Bill 321 and moving on to Assembly Bill 460.

Assembly Bill 321: Revises provisions relating to offenders. (BDR 14-1015)

[Assembly Bill 321 was agendized but not considered.]

Assembly Bill 460: Revises provisions relating to child welfare. (BDR 13-1060)

Cesar Melgarejo, Committee Policy Analyst:

Assembly Bill 460 establishes within the Office of Secretary of State a form for parents or guardians to nominate a guardian for a minor which may be filed in the Nevada Lockbox, is sponsored by Assemblymember González and Senator Doñate, and was heard on March 20, 2025. [Read from [Exhibit U](#).]

There is an amendment proposed by Assemblymember González to remove provisions within *Nevada Revised Statutes* authorizing fees for the Nevada Lockbox, deleting expanded eligibility for supportive assistance for guardians for children separated due to immigration orders, and deleting provisions appropriating funding for the Trauma Recovery Grant Project.

Chair Miller:

Are there any questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 460.

ASSEMBLYMEMBER MARZOLA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 460.

ASSEMBLYMEMBER LA RUE HATCH SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED UNANIMOUSLY.

I will assign the floor statement to Assemblymember González. Next please.

**Assembly Bill 480: Revises provisions relating to discrimination in housing.
(BDR 10-1101)**

Cesar Melgarejo, Committee Policy Analyst:

Assembly Bill 480 adopts the disparate impact standard for the Nevada Fair Housing Law, is sponsored by Assemblymembers Yeager, Monroe-Moreno, Jauregui, and Considine, et al., and was heard on March 28, 2025. [Read from [Exhibit V.](#)]

There is an amendment submitted by Assemblymember Yeager to replace the term "disparate impact" with "discriminatory effect," add various Assemblymembers of this Committee as cosponsors, and make the bill effective upon passage and approval. The change in terms would be for subsection 3 of section 1.

Chair Miller:

Are there any questions? [There were none.] I will entertain a motion to amend and do pass Assembly Bill 480.

ASSEMBLYMEMBER MARZOLA MOVED TO AMEND AND DO PASS
ASSEMBLY BILL 480.

ASSEMBLYMEMBER NADEEM SECONDED THE MOTION.

Is there any discussion on the motion? [There was none.]

THE MOTION PASSED. (ASSEMBLYMEMBERS COLE, GRAY,
HANSEN, HARDY, AND YUREK VOTED NO.)

I will assign the floor statement to Assemblymember Nadeem.

That concludes our work session for today. Our final item on the agenda will be public comment. We will start here in Carson City. Is there anyone wishing to make public comment? [There was no one.] In Las Vegas? [There was no one.] On the phones? [There was no one.] I will conclude public comment, and adjourn for today [at 10:19 a.m.].

RESPECTFULLY SUBMITTED:

Nicholas Fischer
Committee Secretary

APPROVED BY:

Assemblymember Brittney M. Miller, Chair

DATE: _____

EXHIBITS

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 416	C	Assemblymember Brittney M. Miller, Assembly District No. 5	Proposed amendment
A.B. 416	D	Authors Against Book Bans	Letter in support
A.B. 416	E	Chris Daly, Deputy Executive Director, Government Relations, Nevada State Education Association	Written testimony in support
A.B. 416	F	Mathilda Guerrero Miller, Government Relations Director, Native Voters Alliance Nevada	Written testimony in support
A.B. 416	G	Shane Piccinini, Private Citizen	Written testimony in support
A.B. 416	H	Philomena Polefrone, Associate Director, American Booksellers for Free Expression	Letter in support
A.B. 416	I	Shelbie Swartz, Executive Director, Battle Born Progress	Written testimony in support
A.B. 416	J	Amy Zadorozny, Private Citizen	Written testimony in support
A.B. 416	K	Leslie Quinn, Private Citizen, Las Vegas, Nevada	Written testimony in opposition
A.B. 416	L	Bruce Parks, Private Citizen, Reno, Nevada	Letter in opposition
A.B. 416	M	Tanya Attebery, Private Citizen, Clark County, Nevada	Written testimony in opposition and attached petition to repeal Clark County School District Regulation 6150
A.B. 416	N	Deborah Earl, Chief Operating Officer, Power2Parent	Letter in opposition
A.B. 416	O	Debbie Mason, Private Citizen	Written testimony in opposition
A.B. 159	P	Cesar Melgarejo, Committee Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document
A.B. 201	Q	Cesar Melgarejo, Committee Policy Analys Counsel Bureau	Work Session Document

A.B. 209	R	Cesar Melgarejo, Committee Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document
A.B. 291	S	Cesar Melgarejo, Committee Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document
A.B. 320	T	Cesar Melgarejo, Committee Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document
A.B. 460	U	Cesar Melgarejo, Committee Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document
A.B. 480	V	Cesar Melgarejo, Committee Policy Analyst, Research Division, Legislative Counsel Bureau	Work Session Document