

Amendment No. 294

Assembly Amendment to Assembly Bill No. 146 First Reprint (BDR 58-669) Proposed by: Assemblywoman Marzola Amends: Summary: No Title: No Preamble: No Joint Sponsorship: No Digest: Yes
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ASSEMBLY ACTION			Initial and Date	SENATE ACTION			Initial and Date		
Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____	Adopted	<input type="checkbox"/>	Lost	<input type="checkbox"/>	_____
Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Concurred In	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____
Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____	Receded	<input type="checkbox"/>	Not	<input type="checkbox"/>	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) variations of green bold underlining is language proposed to be added in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill proposed to be retained in this amendment.



ASSEMBLY BILL NO. 146--ASSEMBLYWOMAN MARZOLA

FEBRUARY 13, 2023

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions governing video service. (BDR 58-669)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to information technology; clarifying the definition of the terms “cable service” and “video service”; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

Existing law defines the term “video service” for purposes of franchising and regulation of video service and video service providers as the provision of certain multichannel video programming, excluding: (1) any video content provided solely as part of, and through, a service which enables users access to certain content via the public Internet; (2) direct broadcast satellite service; and (3) any wireless multichannel video programming provided by a commercial mobile service provider. (NRS 711.141, 711.400) **Section 1.5** of this bill clarifies the definition of the term “video service” to mean the provision by a video service provider over a video service network of certain multichannel video programming provided by a video service provider, excluding: (1) certain video content accessed via the Internet, including streaming video content; (2) direct-to-home satellite services; and (3) any wireless multichannel video programming provided by a commercial mobile service provider.

Section 1 of this bill clarifies the definition of the term “cable service” to exclude any video content, including, without limitation, streaming video content, accessed via a service that enables users to access content, information, electronic mail or other services that are offered via the Internet, regardless of the ~~Internet service~~ provider. ***[of the video content.***

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 711.025 is hereby amended to read as follows:

711.025 **1.** “Cable service” ~~has the meaning ascribed to it in 47 U.S.C. § 522, as that section existed on January 1, 2007.~~ **means:**

(a) The one-way transmission to subscribers of video programming or other programming service; and

(b) Any interaction with subscribers which is required for the selection or use of such video programming or other programming service.

2. The term does not include any video content, including, without limitation, streaming video content, accessed via a service that enables users to

1 *access content, information, electronic mail or other services that are offered via*
2 *the Internet, regardless of the ~~Internet service~~ provider ~~of~~ of the video content.*

3 **Sec. 1.5.** NRS 711.141 is hereby amended to read as follows:

4 711.141 1. “Video service” means the provision *by a video service provider*
5 *over a video service network* of multichannel video programming generally
6 considered comparable to video programming delivered by a television broadcast
7 station, cable service or other digital television service, whether provided as part of
8 a tier, on-demand or on a per-channel basis, without regard to the technology used
9 to deliver the video service, including, without limitation, Internet protocol
10 technology or any successor technology.

11 2. The term includes, without limitation:

12 (a) Cable service; and

13 (b) Video service delivered by a community antenna television system.

14 3. The term does not include:

15 (a) Any video content ~~provided solely as part of, and through,~~ *including,*
16 *without limitation, streaming video content, accessed via* a service ~~which~~ *that*
17 enables users to access content, information, electronic mail or other services that
18 are offered via the ~~public~~ Internet ~~,~~ *, regardless of the ~~Internet service~~*
19 *provider ~~of~~ of the video content.*

20 (b) ~~Direct broadcast~~ *Direct-to-home* satellite ~~service~~ *services, which*
21 *distribute or broadcast programming or services by satellite directly to the*
22 *subscriber’s residence without the use of ~~a~~*

23 ~~(1) Ground~~ *ground receiving or distribution equipment, except at the*
24 *subscriber’s residence or in the uplink process to the satellite ~~, and~~*

25 ~~[(2) A public right of way.]~~

26 (c) Any wireless multichannel video programming provided by a commercial
27 mobile service provider.

28 **Sec. 2.** This act becomes effective on July 1, 2023.