

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:

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

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



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

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

2 711.025 **1.** "Cable service" ~~has the meaning ascribed to it in~~
3 ~~47 U.S.C. § 522, as that section existed on January 1, 2007.]~~ **means:**

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

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

9 **2. The term does not include any video content, including,**
10 **without limitation, streaming video content, accessed via a service**
11 **that enables users to access content, information, electronic mail**
12 **or other services that are offered via the Internet, regardless of the**
13 **Internet service provider.**

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

15 711.141 **1.** "Video service" means the provision **by a video**
16 **service provider over a video service network** of multichannel video
17 programming generally considered comparable to video
18 programming delivered by a television broadcast station, cable
19 service or other digital television service, whether provided as part
20 of a tier, on-demand or on a per-channel basis, without regard to the
21 technology used to deliver the video service, including, without
22 limitation, Internet protocol technology or any successor
23 technology.

24 **2. The term includes, without limitation:**

25 **(a) Cable service; and**

26 **(b) Video service delivered by a community antenna television**
27 **system.**

28 **3. The term does not include:**

29 **(a) Any video content** ~~provided solely as part of, and through,]~~,
30 **including, without limitation, streaming video content, accessed**
31 **via a service** ~~[which]~~ **that** enables users to access content,
32 information, electronic mail or other services that are offered via the
33 ~~[public]~~ **Internet** ~~[,]~~, **regardless of the Internet service provider.**

34 **(b) ~~Direct-broadcast~~ Direct-to-home satellite** ~~[service.]~~
35 **services, which distribute or broadcast programming or services by**
36 **satellite directly to the subscriber's residence without the use of:**

37 **(1) Ground receiving or distribution equipment, except at**
38 **the subscriber's residence or in the uplink process to the satellite;**
39 **and**

40 **(2) A public right-of-way.**

41 **(c) Any wireless multichannel video programming provided by**
42 **a commercial mobile service provider.**



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

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