

ASSEMBLY BILL NO. 433—ASSEMBLYMEN WHEELER AND KRAMER

MARCH 25, 2019

Referred to Committee on Commerce and Labor

SUMMARY—Revises provisions relating to caller identification information. (BDR 58-1006)

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

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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 telecommunications; authorizing the Attorney General and the Public Utilities Commission of Nevada to bring certain actions to enforce certain provisions of federal law relating to caller identification information; requiring certain providers of telecommunication services to comply with certain standards related to the authentication of caller identification information; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 Existing law requires the Public Utilities Commission of Nevada to regulate  
2 public utilities that provide telecommunication service to the public. (Chapter 704  
3 of NRS) **Section 1** of this bill requires, to the fullest extent permitted under the  
4 United States Constitution, telecommunication providers, providers of wireless  
5 telecommunications and providers of Voice over Internet Protocol services to  
6 comply with certain protocols and standards for the authentication of caller  
7 identification information for calls made using Internet Protocol.

8 Existing federal law, with certain exceptions: (1) prohibits a person in the  
9 United States from, in connection with any telecommunication service or Internet  
10 Protocol enabled voice service, causing a caller identification service to knowingly  
11 transmit misleading or inaccurate caller identification with the intent to defraud,  
12 cause harm or wrongfully obtain anything of value; and (2) authorizes the chief  
13 legal officer of a state, or any other state officer authorized by law to bring actions  
14 on behalf of the residents of a state, to bring a civil action to enforce this  
15 prohibition. (47 U.S.C. § 227(e)) **Section 3** of this bill authorizes the Attorney  
16 General or the Public Utilities Commission of Nevada to bring such an action.  
17 **Section 3** also authorizes the Commission to cooperate with and coordinate the  
18 enforcement of the prohibition under federal law described above with the Attorney  
19 General.



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

1       **Section 1.** NRS 703.164 is hereby amended to read as follows:  
2       703.164 1. The Commission may employ, or retain on a  
3 contract basis, legal counsel who shall:

4       (a) Except as otherwise provided in subsection 2, be counsel and  
5 attorney for the Commission in all actions, proceedings and  
6 hearings.

7       (b) Prosecute in the name of the Commission all civil actions for  
8 the enforcement of NRS 702.160 and 702.170 and chapters 704,  
9 704A, 704B, 705 and 708 of NRS *and section 3 of this act* and for  
10 the recovery of any penalty or forfeiture provided for therein.

11       (c) Generally aid the Commission in the performance of its  
12 duties and the enforcement of NRS 702.160 and 702.170 and  
13 chapters 704, 704A, 704B, 705 and 708 of NRS ~~§~~ *and section 3 of*  
14 *this act.*

15       2. Each district attorney shall:

16       (a) Prosecute any violation of chapter 704, 704A, 705, 708 or  
17 711 of NRS for which a criminal penalty is provided and which  
18 occurs in the district attorney's county.

19       (b) Aid in any investigation, prosecution, hearing or trial held  
20 under the provisions of chapter 704, 704A, 705, 708 or 711 of NRS  
21 and, at the request of the Commission or its legal counsel, act as  
22 counsel and attorney for the Commission.

23       3. The Attorney General shall, if the district attorney fails or  
24 refuses to do so, prosecute all violations of the laws of this state by  
25 public utilities under the jurisdiction of the Commission and their  
26 officers, agents and employees.

27       4. The Attorney General is not precluded from appearing in or  
28 moving to intervene in any action and representing the interest of  
29 the State of Nevada in any action in which the Commission is a  
30 party and is represented by independent counsel.

31       **Sec. 2.** Chapter 707 of NRS is hereby amended by adding  
32 thereto the provisions set forth as sections 3 and 4 of this act.

33       **Sec. 3. 1.** *The Attorney General or the Public Utilities*  
34 *Commission of Nevada may cause appropriate legal action*  
35 *authorized by 47 U.S.C. § 227(e) to be taken to enforce the*  
36 *provisions of that subsection or to impose the civil penalties for*  
37 *violation of that subsection.*

38       **2.** *The Public Utilities Commission of Nevada may cooperate*  
39 *with and coordinate enforcement of the provisions of 47 U.S.C. §*  
40 *227(e) with the Attorney General.*



1     **Sec. 4. 1.** *To the fullest extent permitted by the United*  
2 *States Constitution, each telecommunication provider, provider of*  
3 *wireless telecommunications and provider of Voice over Internet*  
4 *Protocol service in this State shall, with respect to the*  
5 *authentication of caller identification information for calls made*  
6 *using Internet Protocol, comply with:*

7     *(a) The Secure Telephone Identity Revisited protocols*  
8 *published by the Internet Engineering Task Force or its successor*  
9 *organization and the Signature-based Handling of Asserted*  
10 *Information Using Tokens standards published by the Alliance for*  
11 *Telecommunications Industry Solutions or its successor*  
12 *organization; or*

13     *(b) Comparable standards to authenticate caller identification*  
14 *information for calls made using Internet Protocol approved by*  
15 *the Public Utilities Commission of Nevada.*

16     2. *As used in this section:*

17     *(a) "Caller identification information" has the meaning*  
18 *ascribed to it in 47 U.S.C. § 227.*

19     *(b) "Provider of wireless telecommunications" has the*  
20 *meaning ascribed to it in NRS 707.620.*

21     *(c) "Voice over Internet Protocol service" has the meaning*  
22 *ascribed to it in NRS 704.685.*

23     **Sec. 5. 1.** This section and sections 1, 2 and 3 of this act  
24 become effective on October 1, 2019.

25     2. Section 4 of this act becomes effective on July 1, 2020.



