

Senate Bill No. 27—Senator Wiener

CHAPTER.....

AN ACT relating to telecommunications; revising various provisions governing telegraphs and telephones; repealing various provisions relating to telegraphs; prohibiting injury or obstruction to a telecommunications line of a community antenna television system; providing a penalty; and providing other matters properly relating thereto.

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

Section 1. NRS 707.130 is hereby amended to read as follows:

707.130 ~~If any person:~~ *Any person who:*

1. By the attachment of a ground wire, or by any other contrivance, willfully destroys the insulation of a telegraph *or telephone* line, or interrupts the transmission of the electric current through the line;
2. Willfully interferes with the use of any telegraph *or telephone* line, or obstructs or postpones the transmission of any message over the line; or
3. Procures or advises any such injury, interference or obstruction, ~~the person so offending~~ is guilty of a public offense, as prescribed in NRS 193.155, proportionate to the value of any property damaged, altered, removed or destroyed and in no event less than a misdemeanor.

Sec. 2. NRS 707.140 is hereby amended to read as follows:

707.140 Any person ~~offending against~~ *found to be in violation of* the provisions of NRS ~~707.020, 707.040, 707.060, 707.100 and 707.120 shall,~~ *707.130 is*, in addition to the penalties therein prescribed, ~~be~~ liable to the person damaged in a civil suit for all damages occasioned thereby.

Sec. 3. NRS 707.300 is hereby amended to read as follows:

707.300 All persons or corporations owning *and operating* telephone lines ~~now in operation, or who may hereafter construct and operate such lines in the State of Nevada, shall be~~ *in this state are* entitled to all the rights and privileges and ~~shall be~~ *are* subject to all the restrictions and responsibilities provided ~~for~~ in NRS ~~707.010 to 707.220, inclusive, and~~ 707.230 to 707.290, inclusive, so far as ~~the same shall be~~ *those rights, privileges, restrictions and responsibilities are* applicable to telephone companies.

Sec. 4. Chapter 711 of NRS is hereby amended by adding thereto a new section to read as follows:

1. Any person who:

(a) By the attachment of a ground wire, or by any other contrivance, willfully destroys the insulation of a telecommunications line of a community antenna television company, or interrupts the transmission of the electric current through the line;

(b) Willfully interferes with the use of any such line, or obstructs or postpones the transmission of any message over the line; or

(c) Procures or advises any such injury, interference or obstruction, is guilty of a public offense, as prescribed in NRS 193.155, proportionate to the value of any property damaged, altered, removed or destroyed and in no event less than a misdemeanor.

2. Any person who violates the provisions of subsection 1 is, in addition to the penalty set forth in that subsection, liable to the community antenna television company injured by such conduct in a civil action for all damages occasioned thereby.

Sec. 5. NRS 711.270 is hereby amended to read as follows:

711.270 1. ~~Any~~ *Unless a greater penalty is provided in section 4 of this act, any* person who knowingly:

(a) Makes or maintains a connection or attaches any device to any line or other component of a community antenna television company;

(b) Purchases or possesses any device; or

(c) Makes or maintains any modification to any device installed for a community antenna television company, to intercept or receive any program or other service provided by a community antenna television company without the authorization of the company is guilty of a misdemeanor.

2. Any person who knowingly and without the authorization of a community antenna television company:

(a) Imports into this state;

(b) Distributes; or

(c) Sells, offers or advertises to sell, or possesses with the intent to sell, any device designed to decode a signal encoded by the community antenna television company is guilty of a misdemeanor.

3. ~~Any~~ *Unless a greater penalty is provided in section 4 of this act, any* person who willfully violates subsection 1 or 2 for commercial advantage, whether direct or indirect, is guilty of a gross misdemeanor.

Sec. 6. NRS 707.010, 707.020, 707.030, 707.040, 707.050, 707.060, 707.070, 707.080, 707.090, 707.100, 707.110, 707.120, 707.160, 707.170, 707.180, 707.190, 707.200, 707.210, 707.220, 707.260 and 707.310 are hereby repealed.

Sec. 7. The amendatory provisions of this act do not apply to offenses that were committed before October 1, 1999.