

Amendment No. 472

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| Senate Amendment to Senate Bill No. 289  | (BDR 19-892) |
| Proposed by: Senate Committee on Government Affairs                            |              |
| Amends: Summary: Yes Title: Yes Preamble: No Joint Sponsorship: No Digest: Yes |              |

| 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.

HAC/JWP



Date: 4/15/2015

S.B. No. 289—Revises provisions relating to the protection of technology.  
(BDR 19-892)



## SENATE BILL NO. 289—SENATOR DENIS

MARCH 16, 2015

JOINT SPONSOR: ASSEMBLYMAN PAUL ANDERSON

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to the ~~{protection of technology}~~  
Information Technology Advisory Board. (BDR ~~{19-892}~~  
S-892)

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 ~~{homeland security;}~~ the Information Technology Advisory Board; requiring ~~{each provider of Internet protocol service which serves an agency or political subdivision of this State to maintain certain peering arrangements within this State;}~~ the Board to conduct a study of peering that includes an analysis of potential benefits of peering arrangements to the State and its political subdivisions; requiring the Board to submit a report of its study to the Director of the Legislative Counsel Bureau for transmittal to the 79th Session of the Nevada Legislature; and providing other matters properly relating thereto.

**Legislative Counsel's Digest:**

Existing law creates the ~~{Nevada Commission on Homeland Security and requires the Commission to make recommendations with respect to actions and measures to protect residents of this State and visitors to this State from potential acts of terrorism and related emergencies. (NRS 220C.120, 220C.160)}~~ Information Technology Advisory Board which has various duties relating to information technology. (NRS 242.122, 242.124) This bill requires ~~{each provider of Internet protocol service which serves an agency or political subdivision of this State to interconnect and maintain a peering arrangement within this State with all other such providers of Internet protocol service;}~~ the Board to: (1) conduct a study of peering, including an analysis of potential benefits of peering arrangements to the State and its political subdivisions; and (2) submit a report of its findings, including any recommendations for legislation, to the Director of the Legislative Counsel Bureau for transmittal to the 79th Session of the Nevada Legislature.

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

Section 1. ~~[Chapter 229C of NRS is hereby amended by adding thereto the provisions set forth as sections 2 to 6, inclusive, of this act.]~~ (Deleted by amendment.)

Sec. 2. ~~[The Legislature hereby finds and declares that:~~

~~1. Physical and digital risks inherent in the use of an unnecessarily indirect path for the delivery of Internet protocol service threatens the security of the State's communications and computer systems, and these threats can be avoided by peering between providers of Internet protocol service which serve this State and other providers of Internet protocol service within this State.~~

~~2. Peering between providers of Internet protocol service which serve this State and other providers of Internet protocol service within this State increases redundancy and resiliency, enables more efficient control of the routing of network traffic, improves performance and avoids natural and man-made risks and data security issues inherent in the interstate transmission of data belonging to this State.~~

~~3. It is necessary for the protection of the residents of this State to ensure that the State receives Internet protocol service from providers which use reasonably current technology to deliver service through a geographically proximate and reasonably direct path.]~~ (Deleted by amendment.)

Sec. 3. ~~[As used in sections 2 to 6, inclusive, of this act, unless the context otherwise requires, the words and terms defined in sections 4 and 5 of this act have the meanings ascribed to them in those sections.]~~ (Deleted by amendment.)

Sec. 4. ~~["Internet protocol service" has the meaning ascribed to "Internet protocol enabled service" in paragraph (a) of subsection 3 of NRS 704.605, except that the term includes Voice over Internet protocol service as defined in paragraph (b) of subsection 3 of NRS 704.605.]~~ (Deleted by amendment.)

Sec. 5. ~~["Peering" means the voluntary physical interconnection of administratively separate Internet networks for the purpose of exchanging traffic between the users of each network.]~~ (Deleted by amendment.)

Sec. 6. ~~[1. Each provider of Internet protocol service which serves any agency or political subdivision of this State shall interconnect and maintain a peering arrangement within this State with all other providers of Internet protocol service which serve any agency or political subdivision of this State.~~

~~2. An agency or political subdivision of this State may not obtain Internet protocol service from a provider of Internet protocol service if the provider has not complied with the provisions of subsection 1.]~~ (Deleted by amendment.)

Sec. 7. ~~[1. Except as otherwise provided in this section, the provisions of sections 2 to 6, inclusive, of this act do not apply to or otherwise affect a contract or other agreement for the provision of Internet protocol service entered into before October 1, 2015.~~

~~2. Each agency and political subdivision of this State shall, as soon as practicable, take all action necessary to ensure that it obtains Internet protocol service only from providers of Internet protocol service which comply with the provisions of subsection 1 of section 6 of this act.~~

~~3. On or before December 31, 2016, each agency and political subdivision of this State shall terminate any contract or other agreement for the provision of Internet protocol service from a provider of Internet protocol service who does not comply with the provisions of subsection 1 of section 6 of this act.]~~ (Deleted by amendment.)

1        Sec. 8. 1. The Information Technology Advisory Board created by NRS  
2        242.122 shall conduct a study of peering that includes, without limitation, an  
3        analysis of potential benefits of peering arrangements to the State and its  
4        political subdivisions.

5        2. In carrying out its duties pursuant to this section, the Board may hold  
6        meetings that are in addition to the meetings that the Board is required to hold  
7        pursuant to NRS 242.123.

8        3. The Board shall submit a report of its findings, including, without  
9        limitation, any recommendations for legislation, to the Director of the  
10       Legislative Counsel Bureau for transmittal to the 79th Session of the Nevada  
11       Legislature.

12       4. As used in this section:

13       (a) "Peering" means the voluntary physical interconnection of  
14       administratively separate Internet networks for the purpose of exchanging  
15       traffic between the users of each network.

16       (b) "Political subdivision" means a city or county of this State.

17       Sec. 9. This act becomes effective on July 1, 2015.