

SENATE BILL NO. 165—SENATOR KIECKHEFER

MARCH 2, 2021

Referred to Committee on Judiciary

SUMMARY—Establishes provisions relating to Esports.  
(BDR 41-562)

FISCAL NOTE: Effect on Local Government: Increases or Newly  
Provides for Term of Imprisonment in County or City  
Jail or Detention Facility.  
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 sporting events; creating the Nevada Esports Commission to regulate Esports; prescribing the membership and terms of office of members of the Commission; providing for the appointment of the Executive Director of the Commission; authorizing the Executive Director to apply for grants and accept gifts, grants and donations on behalf of the Commission; requiring certain persons to be registered with the Commission; authorizing the Commission to adopt regulations; providing a penalty; and providing other matters properly relating thereto.

**Legislative Counsel’s Digest:**

1 **Section 8** of this bill creates the Nevada Esports Commission, within the  
2 Department of Business and Industry, to regulate Esports. **Sections 3-7** of this bill  
3 define certain terms relating to the regulation of Esports, including the term  
4 “Esports” as a contest of multiple players using video games.  
5 **Sections 9 and 10** of this bill prescribe the membership and terms of office of  
6 the members of the Commission. **Section 11** of this bill requires the Governor to  
7 appoint the Executive Director of the Commission. **Section 12** of this bill  
8 authorizes the Executive Director to apply for any grants and accept any gifts,  
9 grants or donations for the support of the Commission. **Sections 13 and 14** of this  
10 bill require certain persons to register with and provide certain information to the  
11 Commission before staging or engaging in any Esports with a purse that exceeds  
12 \$1,000. **Section 15** of this bill authorizes the Commission to adopt regulations  
13 governing Esports. **Section 16** of this bill makes a violation of the requirements  
14 relating to Esports a misdemeanor.



1 WHEREAS, Nevada is known as the entertainment capital of the  
2 world and is a pioneer in providing new and exciting entertainment  
3 opportunities to the public; and

4 WHEREAS, Esports is a rapidly emerging business and a new  
5 form of entertainment and competition; and

6 WHEREAS, The growing interest in Esports for both  
7 entertainment and competition creates an opportunity for Nevada to  
8 leverage its expertise in gaming and other forms of entertainment  
9 and provide an ideal forum to grow this new industry; and

10 WHEREAS, Nevada has a desire to partner with this emerging  
11 industry with focus on ensuring the integrity of Esports  
12 competitions; and

13 WHEREAS, There is a natural fit between Nevada and Esports  
14 that can promote both the growth of the Esports industry and  
15 tourism in Nevada; now, therefore,

16  
17 THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN  
18 SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:  
19

20 **Section 1.** Title 41 of NRS is hereby amended by adding  
21 thereto a new chapter to consist of the provisions set forth as  
22 sections 2 to 16, inclusive, of this act.

23 **Sec. 2.** *As used in this chapter, unless the context otherwise*  
24 *requires, the words and terms defined in sections 3 to 7, inclusive,*  
25 *of this act have the meanings ascribed to them in those sections.*

26 **Sec. 3.** *“Commission” means the Nevada Esports*  
27 *Commission created by section 8 of this act.*

28 **Sec. 4.** *“Esports” means a contest of multiple players using*  
29 *video games.*

30 **Sec. 5.** *“Host” means any person who produces or stages*  
31 *Esports.*

32 **Sec. 6.** *“Participant” means any person who engages in*  
33 *Esports for remuneration.*

34 **Sec. 7.** *“Purse” means a financial guarantee or any other*  
35 *remuneration for which participants engage in Esports.*

36 **Sec. 8. 1.** *The Nevada Esports Commission, consisting of*  
37 *three members appointed by the Governor, is hereby created*  
38 *within the Department of Business and Industry.*

39 **2.** *Two members of the Commission constitute a quorum for*  
40 *the exercise of the authority conferred upon the Commission, and*  
41 *a concurrence of at least two of the members is necessary to*  
42 *render a choice or a decision by the Commission.*

43 **3.** *A member shall not at any time during his or her service as*  
44 *a member of the Commission promote or sponsor any Esports or*



1 *have any financial interest in the promotion or sponsorship of*  
2 *Esports.*

3 **Sec. 9. 1. Each member of the Commission must be:**

4 *(a) A citizen of the United States; and*

5 *(b) A resident of this State.*

6 *2. No member of the Legislature, no person holding any*  
7 *elective office in the State Government, nor any officer or official*  
8 *of any political party is eligible for appointment to the*  
9 *Commission.*

10 *3. One member of the Commission must have expertise in*  
11 *Esports.*

12 *4. One member of the Commission must have expertise in*  
13 *information technology, specifically as it relates to hardware and*  
14 *software in Esports.*

15 *5. One member of the Commission must have training or*  
16 *experience in law enforcement, specifically as it relates to cheating*  
17 *in Esports through cybercrime, hacking or fraud.*

18 **Sec. 10. 1. The term of office of each member of the**  
19 **Commission is 4 years, commencing on the last Monday in**  
20 **January.**

21 *2. The Governor shall appoint the members of the*  
22 *Commission and designate one member to serve as Chair, who*  
23 *shall coordinate the activities of the Commission. The designation*  
24 *of Chair lasts for 2 years, unless revoked by the Governor.*

25 *3. Each member of the Commission shall serve without*  
26 *compensation.*

27 **Sec. 11. 1. The Governor shall appoint an Executive**  
28 **Director, who must not be a member of the Commission.**

29 *2. The Executive Director serves at the pleasure of the*  
30 *Governor.*

31 *3. The Executive Director may, within the limits of available*  
32 *money, employ such additional personnel as may be required to*  
33 *carry out the duties of the Commission.*

34 *4. Except as otherwise provided in section 12 of this act, all*  
35 *money received by the Executive Director or the Commission*  
36 *pursuant to the provisions of this chapter must be deposited with*  
37 *the State Treasurer for credit to the State General Fund.*

38 **Sec. 12. 1. The Executive Director may apply for any**  
39 **available grants and accept any gifts, grants or donations for the**  
40 **support of the Commission and its activities pursuant to the**  
41 **provisions of this chapter.**

42 *2. Any money received pursuant to this section must be*  
43 *deposited in the Special Account for the Support of the Nevada*  
44 *Esports Commission, which is hereby created in the State General*  
45 *Fund. Interest and income earned on money in the Account must*



1 *be credited to the Account. Money in the Account may only be*  
2 *used for the support of the Commission and its activities pursuant*  
3 *to the provisions of this chapter.*

4 **Sec. 13.** *A host shall not stage any Esports with a purse that*  
5 *exceeds \$1,000 unless the host has first:*

6 1. *Registered with the Commission in the manner prescribed*  
7 *by the Commission;*

8 2. *Supplied any information, including, without limitation,*  
9 *tournament rules, as required by the Commission; and*

10 3. *Paid any fee required by the Commission.*

11 **Sec. 14.** *A participant shall not engage in any Esports with a*  
12 *purse that exceeds \$1,000 unless the participant has first:*

13 1. *Registered with the Commission in the manner prescribed*  
14 *by the Commission;*

15 2. *Supplied any information as required by the Commission;*

16 3. *Read and agreed to be bound by any applicable*  
17 *tournament rules submitted by the host to the Commission; and*

18 4. *Paid any fee required by the Commission.*

19 **Sec. 15.** 1. *The Commission may adopt regulations*  
20 *necessary to carry out the provisions of this chapter.*

21 2. *The regulations must:*

22 (a) *Ensure the integrity of Esports.*

23 (b) *Establish procedures for the enforcement of Commission*  
24 *rules and policies.*

25 (c) *Prescribe the powers and duties of hosts and participants.*

26 (d) *Provide for the registration of hosts and participants.*

27 (e) *Establish qualifications for participants.*

28 (f) *Establish procedures for the testing of participants,*  
29 *including, without limitation, testing for banned or controlled*  
30 *substances.*

31 (g) *Require approval of venues that accommodate Esports.*

32 **Sec. 16.** *Any person who violates any provision of this*  
33 *chapter or any regulations adopted pursuant thereto is guilty of a*  
34 *misdemeanor.*

35 **Sec. 17.** 1. *This section becomes effective upon passage and*  
36 *approval.*

37 2. *Sections 1 to 16, inclusive, of this act become effective:*

38 (a) *Upon passage and approval for the purpose of adopting any*  
39 *regulations and performing any other preparatory administrative*  
40 *tasks that are necessary to carry out the provisions of this act; and*

41 (b) *On January 1, 2022, for all other purposes.*

