HOUSE FILE 2691
BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO LSB 5008HB)

(As Amended and Passed by the House April 16, 2024)

[= New Language by the House

* = Language Stricken by the House

A BILL FOR

An Act relating to and making appropriations from the rebuild Iowa infrastructure fund and technology reinvestment fund, providing for related matters including renewable fuel infrastructure incentives, and including effective date provisions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

Section 1. REBUILD IOWA INFRASTRUCTURE FUND — APPROPRIATIONS. There is appropriated from the rebuild Iowa infrastructure fund created in section 8.57 to the following departments and agencies for the following fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

a. For major maintenance projects:

FY 2024-2025:

..... $ 35,000,000

FY 2025-2026:

..... $ 35,000,000

FY 2026-2027:

..... $ 35,000,000

FY 2027-2028:

..... $ 35,000,000

FY 2028-2029:

..... $ 35,000,000

b. For elevator upgrades and replacement on the capitol complex and Terrace Hill:

FY 2024-2025:

..... $ 5,364,500

2. DEPARTMENT OF AGRICULTURE AND LAND STEWARDSHIP

a. (1) For deposit in the water quality initiative fund created in section 466B.45 for purposes of supporting the water quality initiative administered by the division of soil conservation and water quality as provided in section 466B.42, including salaries, support, maintenance, and miscellaneous purposes, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 8,200,000

(2) (a) The moneys appropriated in this lettered

paragraph shall be used to support demonstration projects in subwatersheds as designated by the department that are part of high-priority watersheds identified by the water resources coordinating council.

(b) The moneys appropriated in this lettered paragraph shall be used to support demonstration projects in watersheds generally, including regional watersheds, as designated by the division and high-priority watersheds identified by the water resources coordinating council.

(3) In supporting projects in watersheds and subwatersheds as provided in subparagraph (2), all of the following apply:

(a) The demonstration projects must utilize water quality practices as described in the latest revision of the document entitled "Iowa Nutrient Reduction Strategy" initially presented in November 2012 by the department of agriculture and land stewardship, the department of natural resources, and Iowa state university of science and technology.

(b) The division shall implement demonstration projects as provided in subparagraph division (a) by providing for participation by persons who hold a legal interest in agricultural land used in farming. To every extent practical, the division shall provide for collaborative participation by such persons who hold a legal interest in agricultural land located within the same subwatershed.

(c) The division shall implement demonstration projects on a cost-share basis as determined by the division. Except for edge-of-field practices, the state's share of the amount shall not exceed 50 percent of the estimated cost of establishing the practice as determined by the division or 50 percent of the actual cost of establishing the practice, whichever is less.

(d) The demonstration projects shall be used to educate other persons about the feasibility and value of establishing similar water quality practices. The division shall promote field day events for purposes of allowing interested persons to establish water quality practices on such persons' agricultural

land.

(e) The division shall conduct water quality evaluations within supported subwatersheds. Within a reasonable period after accumulating information from such evaluations, the division shall create an aggregated database of water quality practices. Any information identifying a person holding a legal interest in agricultural land or specific agricultural land shall be a confidential record.

(4) The moneys appropriated in this lettered paragraph shall be used to support education and outreach in a manner that encourages persons who hold a legal interest in agricultural land used for farming to implement water quality practices, including the establishment of such practices in watersheds generally, and not limited to subwatersheds or high-priority watersheds.

(5) The moneys appropriated in this lettered paragraph may be used to contract with persons to coordinate the implementation of efforts provided in this lettered paragraph.

(6) The moneys appropriated in this lettered paragraph may be used by the department to support urban soil and water conservation efforts, which may include but are not limited to management practices related to bioretention, landscaping, the use of permeable or pervious pavement, and soil quality restoration. The moneys shall be allocated on a cost-share basis as provided in chapter 161A.

(7) Notwithstanding any other provision of law to the contrary, the department may use moneys appropriated in this lettered paragraph to carry out the provisions of this paragraph on a cost-share basis in combination with other moneys available to the department from a state or federal source.

(8) Not more than 10 percent of the moneys appropriated in this lettered paragraph may be used for costs of administration and implementation of the water quality initiative administered by the soil conservation division.

b. For deposit in the renewable fuel infrastructure fund created in section 159A.16 for renewable fuel infrastructure programs:

FY 2024-2025:

..... $ 12,500,000

The appropriation made in this paragraph is in lieu of the standing appropriation from the general fund of the state in section 159A.17 for the fiscal year beginning July 1, 2024, and ending June 30, 2025, which shall be zero.

c. For updating the maximum return to nitrogen modeling system for fertilizer management, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 1,000,000

Any information received, collected, or held for purposes of this paragraph is a confidential record exempt from public release if the information identifies a person who holds a legal interest in agricultural land or who has previously held a legal interest in agricultural land, a person who is involved or who was previously involved in managing the agricultural land or producing crops or livestock on the agricultural land, or the identifiable location of the agricultural land.

d. For deposit in the rural veterinary practice innovation and revitalization fund established in section 159.31D, if enacted by 2024 Iowa Acts, House File 2688, section 3, or successor legislation, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 750,000

Of the moneys appropriated in this paragraph, a veterinary practice shall not receive more than $25,000 in any fiscal year under the rural veterinary practice innovation and revitalization program established in section 159.31E, if enacted by 2024 Iowa Acts, House File 2688, section 4, or successor legislation.

3. DEPARTMENT FOR THE BLIND

For building repairs for the building located at 524 Fourth Street, Des Moines, Iowa:

FY 2024-2025:

..... $ 225,600

4. ECONOMIC DEVELOPMENT AUTHORITY

a. For deposit in the community attraction and tourism fund created in section 15F.204:

FY 2024-2025:

..... $ 10,000,000

b. For deposit in the destination Iowa fund created in section 15.281, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 6,500,000

c. For equal distribution to regional sports authority districts certified by the authority pursuant to section 15E.321, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 700,000

d. For grants to nonprofit organizations committed to strengthening communities through youth development, healthy living, and social responsibility for costs associated with the renovation and maintenance of facility infrastructure at facilities located in cities with a population of less than 28,000 as determined by the 2020 federal decennial census:

FY 2024-2025:

..... $ 500,000

e. For providing a grant to the entity in possession of the U.S.S. Iowa (BB-61) for purposes of deck replacement:

FY 2024-2025:

..... $ 750,000

f. For costs associated with renovation and maintenance projects at Blood Run national historic landmark:

FY 2024-2025:

..... $ 1,650,000

5. DEPARTMENT OF HEALTH AND HUMAN SERVICES

a. For patient door conversion at the unit located at the state mental health institute at Cherokee:

FY 2024-2025:

..... $ 50,000

b. For renovation and expansion at the unit located at the state mental health institute at Cherokee:

FY 2024-2025:

..... $ 7,000,000

c. For renovation and expansion at the Iowa office of the state medical examiner building:

FY 2024-2025:

..... $ 3,300,000

FY 2025-2026:

..... $ 23,000,000

FY 2026-2027:

..... $ 10,000,000

d. For tunnel decentralization for the state resource center at Woodward:

FY 2024-2025:

..... $ 12,575,000

FY 2025-2026:

..... $ 9,300,000

FY 2026-2027:

..... $ 6,900,000

e. For costs associated with the newborn safe haven Act, chapter 233, notwithstanding section 8.57, subsection 5, paragraph "c":

..... $ 45,000

The department of health and human services shall distribute one hundred percent of the moneys appropriated in this lettered paragraph in the form of matching grants to communities wishing to install newborn safety devices, if the moneys are used to

install newborn safety devices.

6. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

For deposit in the levee improvement fund created in section 8.57D, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 10,000,000

7. DEPARTMENT OF NATURAL RESOURCES

a. For implementation of lake projects that have established watershed improvement initiatives and community support in accordance with the department's annual lake restoration plan and report, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 9,600,000

b. For state park infrastructure improvements:

FY 2024-2025:

..... $ 7,500,000

The appropriation made in this paragraph is contingent on the department of natural resources submitting a report to the general assembly on or before July 1, 2024, detailing the maintenance projects at the state parks in Iowa. The report must be provided in an electronic format.

c. For water trails and low head dam safety grants, including grants for projects relating to eligible water bodies, as defined in section 456A.33C, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 1,500,000

d. For grants to communities or organizations for tree planting projects through the community forestry grant program, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 250,000

e. For the replacement of law enforcement radios,

notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 1,565,000

8. DEPARTMENT OF PUBLIC DEFENSE

a. For major maintenance projects at national guard armories and facilities:

FY 2024-2025:

..... $ 2,100,000

b. For improvement projects for Iowa national guard installations and readiness centers to support operations and training requirements:

FY 2024-2025:

..... $ 2,100,000

c. For construction improvement projects at the Camp Dodge facility:

FY 2024-2025:

..... $ 550,000

d. The department of public defense shall report to the general assembly by December 15, 2024, regarding the projects the department has funded or intends to fund from moneys appropriated to the department pursuant to this subsection.

9. DEPARTMENT OF PUBLIC SAFETY

a. For payments and other costs due under a financing agreement entered into by the treasurer of state for building the statewide interoperable communications system pursuant to section 29C.23, subsection 2, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 6,424,379

b. For deposit in the public safety equipment fund created in section 80.48, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 2,500,000

10. IOWA RACING AND GAMING COMMISSION

For testing horses in a manner consistent with racing standards established by a standard-setting organization that has been formally recognized by both the commission and the Iowa horsemen's benevolent and protective association, notwithstanding section 8.57, subsection 5, paragraph "c":
..... $ 500,000

11. BOARD OF REGENTS

a. For allocation by the state board of regents to the state university of Iowa, Iowa state university of science and technology, and the university of northern Iowa to reimburse the institutions for deficiencies in the operating funds resulting from the pledging of tuition, student fees and charges, and institutional income to finance the cost of providing academic and administrative buildings and facilities and utility services at the institutions:

FY 2024-2025:
..... $ 26,500,000

b. For the renovation and construction of an industrial technology center at the university of northern Iowa:

FY 2024-2025:
..... $ 3,850,000

c. For nonresidential infrastructure renovations at the Iowa lakeside laboratory regent resource center:

FY 2024-2025:
..... $ 5,500,000

FY 2025-2026:
..... $ 3,000,000

12. DEPARTMENT OF TRANSPORTATION

a. For acquiring, constructing, and improving recreational trails within the state:

FY 2024-2025:
..... $ 2,500,000

b. For deposit in the public transit infrastructure grant fund created in section 324A.6A, for projects that meet the definition of vertical infrastructure in section 8.57,

subsection 5, paragraph "c":

FY 2024-2025:

..... $ 1,500,000

c. For deposit in the railroad revolving loan and grant fund created in section 327H.20A, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 2,000,000

d. For vertical infrastructure improvements at the commercial service airports within the state:

FY 2024-2025:

..... $ 1,900,000

e. For vertical infrastructure improvements at general aviation airports within the state:

FY 2024-2025:

..... $ 1,000,000

13. TREASURER OF STATE

For distribution in accordance with chapter 174 to qualified fairs that belong to the association of Iowa fairs for county fair vertical infrastructure improvements:

FY 2024-2025:

..... $ 1,060,000

14. JUDICIAL BRANCH

a. For chiller replacement at the judicial building:

FY 2024-2025:

..... $ 475,000

b. For renovations and furniture at the Dallas county and Johnson county justice centers, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 592,000

15. LEGISLATIVE BRANCH

For improvement and repair projects of the steps on the west side of the exterior of the capitol building:

..... $ 620,000

16. DEPARTMENT OF VETERANS AFFAIRS

For replacement of cemetery equipment, notwithstanding section 8.57, subsection 5, paragraph "c":

FY 2024-2025:

..... $ 168,388

Sec. 2. REVERSION. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys from an appropriation made in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends two years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

DIVISION II

TECHNOLOGY REINVESTMENT FUND

Sec. 3. TECHNOLOGY REINVESTMENT FUND. There is appropriated from the technology reinvestment fund created in section 8.57C to the following departments and agencies for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF JUSTICE

For cybersecurity and technology projects:

..... $ 278,503

2. DEPARTMENT OF CORRECTIONS

For camera systems upgrades and replacement, Iowa medical and classification center pharmacy technology upgrades, Iowa medical and classification center and Iowa correctional institution for women data and voice network switching and server replacements, and community-based corrections technology updates:

..... $ 3,604,279

3. DEPARTMENT OF EDUCATION

a. For the continued development and implementation of an educational data warehouse that will be utilized by teachers, parents, school district administrators, area education agency staff, department of education staff, and policymakers:
..... $ 600,000

Of the moneys appropriated in this lettered paragraph, the department may use a portion for an e-transcript data system capable of tracking students throughout the students' education via interconnectivity with multiple schools.

b. For maintenance and lease costs associated with connections for part III of the Iowa communications network:
..... $ 2,727,000

c. To the public broadcasting division for costs associated with a searchable digital asset management system:
..... $ 196,000

4. DEPARTMENT OF HEALTH AND HUMAN SERVICES

a. To fund the transition to maintenance and operations of the Medicaid enterprise modernization effort at the Iowa department of health and human services:
..... $ 330,000

b. For technology costs associated with the state poison control center:
..... $ 34,000

5. DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT

For the continuing implementation of a statewide mass notification and emergency messaging system:
..... $ 400,000

6. DEPARTMENT OF MANAGEMENT

a. For the continued development and implementation of a searchable database that can be placed on the internet for budget and financial information:
..... $ 45,000

b. For the continued development and implementation of the comprehensive electronic grant management system:
..... $ 70,000

c. For the upgrade of the local government budget and property tax system:
..... $ 120,000

d. For the annual licensing of a searchable database that is placed on the internet for budget and financial information:
..... $ 382,131

e. For the cost of equipment and computer software for the continued development and implementation of Iowa's criminal justice information system:
..... $ 1,400,000

f. For the costs associated with the justice enterprise data warehouse:
..... $ 282,664

[g. For the security office of the chief information officer for statewide endpoint detection and response:
..... $ 1,117,658

h. For the security office of the chief information officer for cybersecurity incident investigation response:
..... $ 1,830,000]

7. DEPARTMENT OF REVENUE

For tax system modernization:
..... $ 4,070,460

8. SECRETARY OF STATE

For the upgrade of cyberanalysis and cybersecurity technology:
..... $ 324,000

9. TREASURER OF STATE

a. For the purchase of software relating to investment tracking:
..... $ 192,000

b. For the purchase of software relating to banking reconciliations:
..... $ 228,000

Sec. 4. REVERSION. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated

moneys from an appropriation made in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends two years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

DIVISION III

CHANGES TO PRIOR APPROPRIATIONS

Sec. 5. 2018 Iowa Acts, chapter 1162, section 4, as amended by 2022 Iowa Acts, chapter 1150, section 6, is amended to read as follows:

SEC. 4. REVERSION.

1. Except as provided in subsection 2, for purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys made from an appropriation in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

2. a. For purposes of section 8.33, unless specifically provided in paragraph "b" or otherwise, unencumbered or unobligated moneys from an appropriation made in section 3, subsection 4, of this division of this 2018 Iowa Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends four years after the end of the fiscal year for which the appropriation is made, or until the project for which the appropriation was made is completed, whichever is earlier.

b. For purposes of section 8.33, unencumbered or

unobligated moneys from an appropriation made for the fiscal year that begins July 1, 2019, in section 3, subsection 4, of this division of this 2018 Iowa Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends five years after the end of the fiscal year for which the appropriation is made, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 6. 2021 Iowa Acts, chapter 167, section 1, subsection 16, is amended to read as follows:

16. LEGISLATIVE BRANCH

For costs associated with the repair and renovation of the domes of the Iowa state capitol, and other Iowa state capitol maintenance projects:

FY 2021-2022:

..... $ 5,250,000

FY 2022-2023:

..... $ 5,250,000

Sec. 7. 2021 Iowa Acts, chapter 167, section 2, as amended by 2023 Iowa Acts, chapter 118, section 6, is amended to read as follows:

SEC. 2. REVERSION.

1. Except as provided in subsection 2, for purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys from an appropriation made in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends two years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

2. a. For purposes of section 8.33, unless specifically provided otherwise, unencumbered or unobligated moneys from

an appropriation made in section 1, subsection 10, paragraph "d", of this division of this 2021 Iowa Act, as amended by 2022 Iowa Acts, chapter 1150, section 11, shall not revert but shall remain available for expenditure for the purposes designated until the project for which the appropriation was made is completed.

b. For purposes of section 8.33, unencumbered or unobligated moneys from an appropriation made in section 1, subsection 4, of this division of this 2021 Iowa Act, shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made, or until the project for which the appropriation was made is completed, whichever is earlier.

c. For purposes of section 8.33, unencumbered or unobligated moneys from an appropriation made in section 1, subsection 16, of this division of this 2021 Iowa Act, as amended by this 2024 Iowa Act, shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 8. 2021 Iowa Acts, chapter 167, section 4, is amended to read as follows:

SEC. 4. REVERSION.

1. For purposes of section 8.33, unless specifically provided in subsection 2 or otherwise, unencumbered or unobligated moneys from an appropriation made in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends two years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered

or unobligated moneys shall revert at the close of that same fiscal year.

2. For purposes of section 8.33, unencumbered or unobligated moneys from an appropriation made in section 3, subsection 7, of this division of this 2021 Iowa Act, shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation was made, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 9. 2022 Iowa Acts, chapter 1150, section 2, is amended to read as follows:

SEC. 2. REVERSION.

1. For purposes of section 8.33, unless specifically provided in subsection 2 or otherwise, unencumbered or unobligated moneys from an appropriation made in this division of this Act shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends two years after the end of the fiscal year for which the appropriation is made. However, if the project or projects for which such appropriation was made are completed in an earlier fiscal year, unencumbered or unobligated moneys shall revert at the close of that same fiscal year.

2. For purposes of section 8.33, unencumbered or unobligated moneys from an appropriation made in section 1, subsection 4, of this division of this 2022 Iowa Act, shall not revert but shall remain available for expenditure for the purposes designated until the close of the fiscal year that ends three years after the end of the fiscal year for which the appropriation is made, or until the project for which the appropriation was made is completed, whichever is earlier.

Sec. 10. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

DIVISION IV

MISCELLANEOUS PROVISIONS

Sec. 11. Section 8.57C, subsection 3, paragraph a, subparagraph (3), Code 2024, is amended to read as follows:

(3) For the fiscal year beginning July 1, ~~2024~~ 2025, and for each subsequent fiscal year thereafter, the sum of seventeen million five hundred thousand dollars.

Sec. 12. Section 8.57C, subsection 3, Code 2024, is amended by adding the following new paragraph:

NEW PARAGRAPH. *l.* There is appropriated from the rebuild Iowa infrastructure fund for the fiscal year beginning July 1, 2024, and ending June 30, 2025, the sum of [nineteen million five hundred sixty-six thousand eight hundred seventy-three] dollars to the technology reinvestment fund, notwithstanding section 8.57, subsection 5, paragraph "*c*".

Sec. 13. Section 159A.14, subsection 6, paragraph b, subparagraph (2), Code 2024, is amended to read as follows:

(2) The amount of standard financial incentives awarded to improve the tier I site is ninety percent of the actual cost of making the improvement or ~~sixty-three~~ one hundred thousand ~~nine hundred~~ dollars, whichever is less.

Sec. 14. Section 159A.14, subsection 6, paragraph c, subparagraph (2), Code 2024, is amended to read as follows:

(2) The amount of standard financial incentives awarded to improve the tier II site is seventy-five percent of the actual cost of making the improvements or ~~fifty-three~~ one hundred thousand ~~two hundred fifty~~ dollars, whichever is less.

Sec. 15. Section 159A.14, subsection 6, paragraph d, subparagraph (2), Code 2024, is amended to read as follows:

(2) The amount of standard financial incentives awarded to improve the tier III site is seventy percent of the actual cost of making the improvement or ~~fifty~~ one hundred thousand dollars, whichever is less.

Sec. 16. Section 159A.16, subsection 3, paragraph a, Code 2024, is amended to read as follows:

a. For each fiscal year, not more than one million ~~two~~

seven hundred fifty thousand dollars shall be allocated to support the renewable fuel infrastructure program for retail motor fuel sites as provided in section 159A.14 to finance the installation, replacement, or conversion of biodiesel infrastructure as provided in that section.