

PARLIAMENT OF KENYA
THE SENATE
SENATE BILLS DIGEST
THE COUNTY LIBRARY SERVICES BILL, 2024
(SENATE BILLS NO. 40 OF 2024)

Sponsor:	Senator Joyce Korir
Date of Publication:	24 th July, 2024
Date of First Reading:	17 th September, 2024
Committee referred to:	Standing Committee on Labour and Social Welfare
Type of Bill:	Ordinary Bill

1. Background

Paragraph 4 (f) of Part 2 of the Fourth Schedule to the Constitution assigns the function of cultural activities, public entertainment and public amenities, including libraries to counties.

Current law

Kenya National Library Service Board Act, Cap. 225, establishes the Kenya National Library Service Board and National Library Service but does not provide for the role and involvement of counties.

Further, by a *Legal Notice No. 142 of 9th August, 2019*, pursuant to section 15 of the Sixth Schedule to the Constitution as read with section 12 (b) of the *Intergovernmental Relations Act, Cap. 265F*, and further to *Legal Notices Nos. 16 and 137 to 183 of 2013 and Legal Notice No. 2 of 2016*, the Intergovernmental Relations Technical Committee (IGRTC) approved the delineation of library functions and distribution of libraries between the National Government and County Governments, with effect from the 1st July, 2019.

Rationale for the Bill

The Bill seeks to provide for the establishment of county libraries in each county in line with Paragraph 4 (f) of Part 2 of the Fourth Schedule to the Constitution.

2. Purpose of the Bill

The principal object of this Bill is to promote the establishment and use of libraries in counties so as facilitate access to information, improve education standards and reduce levels of illiteracy in the counties.

3. Overview of the legislative proposal

What is the object of the Bill?

The objective of the Bill is to—

- (a) establish libraries in each county to ensure that learners and the communities within the county have access to educational resources and information;
- (b) promote literacy in counties;
- (c) support education, cultural and research activities by providing necessary resources and facilities; and
- (d) ensure the preservation of cultural heritage of counties for future generations.

What are the Roles of County Governments?

Under the Bill, county governments are mandated to—

- (a) approve and integrate the county libraries annual work plan into the annual county budget;
- (b) mobilise resources necessary for the delivery of library services in the respective county;
- (c) allocate adequate funds and resources necessary for the effective development of libraries;
- (d) collaborate with such entities as it may consider necessary—
 - (i) for the development of capacity building and training programmes for librarians in the county; and
 - (ii) in financing and mobilising resources for the development and maintenance of county libraries; and
- (e) provide the necessary resources for capacity building of the county library staff.

What is the Composition of a County Library Services Development Committee?

The Bill establishes a County Library Services Development Committee in each county consisting of –

- (a) the county executive committee member responsible for library services who shall be the chairperson;
- (b) two persons who shall be distinguished academics appointed by the County Governor; and
- (c) two persons who have demonstrable knowledge in library and information science and at least five years' experience in the provision of library services appointed by the County Governor.

Functions of the County Library Services Development Committee

The functions of the County Library Services Development Committee are to, among others—

- (a) establish and promote the establishment of libraries in the county;
- (b) develop, equip, manage, and maintain libraries including electronic libraries in the county;
- (c) promote technology in accessing and disseminating information;
- (d) provide information service responsive to the needs of communities;
- (e) plan, co-ordinate and advise the county government on the delivery of library services;
- (f) advise the county government and other public bodies on all matters relating to library, documentation and related services;
- (g) facilitate the documentation of information relating to the county and the provision of related services in the county;
- (h) facilitate the training of librarians within the county on the principles, procedures and techniques of librarianship and such other related matters as the committee may from time to time decide; and
- (i) carry out and encourage research in the development of library and related services in the county.

Is there any recognition of other libraries in a county?

The County Library Services Development Committee may also recognize any library run by a voluntary agency within the county, or any library open for use by the public, as a county library for the purposes of provision of financial assistance to the library.

4. Consequences of the Bill

The Bill is expected to ensure that the provision of library services is easily accessible at the county level of government. In addition, the provision of library services is a function that falls within the ambit of the county governments as specified under Part 2 in paragraph 4(f) of the Fourth Schedule to the Constitution.

5. WAY FORWARD

What next?

Pursuant to standing order 145 of the Senate Standing Orders, the Standing Committee on Labour and Social Welfare shall facilitate public participation and shall take into account the views and recommendations of the public when the committee submits its report to the Senate.

What is expected of the members of public?

The members of the public are expected to present their views to the Standing Committee on Labour and Social Welfare for its consideration.

Next step

The Bill was Read a First Time in the Senate on 17th September, 2024. Pursuant to standing order 148 of the Senate Standing Orders, the Committee is required to submit its report to the Senate within thirty (30) calendar days of the committal of the Bill to the Committee, therefore, by 17th October, 2024.