

PARLIAMENT OF KENYA

THE SENATE

SENATE BILLS DIGEST

**THE COUNTY GOVERNMENT LAWS (AMENDMENT) BILL, 2024
(SENATE BILLS NO. 52 OF 2024)**

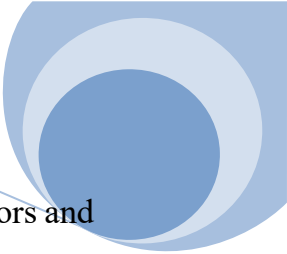
Sponsor:	Sen. Kathuri Murungi
Date of Publication:	14 th November, 2024
Date of First Reading:	5 th March, 2025
Committee referred to:	Standing Committee on Devolution and Intergovernmental Relations
Type of Bill:	Ordinary Bill

1. PURPOSE OF THE BILL

The County Government Laws (Amendment) Bill, 2024 seeks to amend the County Governments Act (Cap. 265) and the Intergovernmental Relations Act (Cap. 265F). The amendments aim to provide a definitive role for the deputy governor, clarify their responsibilities, and foster harmonious relations between governors and deputy governors. Additionally, the Bill seeks to provide for the representation of governors by deputy governors in the meetings of the National and County Government Coordinating Summit.

2. BACKGROUND OF THE BILL

County governments, as key institutions of the devolved system of government, have been tasked with delivering services and driving development at the local level. However, despite the critical role of county leadership, the legal framework governing the functions of the deputy governor remain ambiguous, leading to inefficiencies and strained relationships within county administrations. The County Governments Act (Cap. 265) currently provides a vague mandate for deputy governors, stating that they shall deputize the governor and may be assigned additional responsibilities. This lack of clarity



has led to inefficiencies, power struggles, and strained relationships between governors and their deputies, undermining effective governance.

The absence of well-defined roles for deputy governors has also limited their ability to contribute meaningfully to county development. In some cases, deputy governors have been sidelined, leading to public dissatisfaction and calls for clearer guidelines.

The County Government Laws (Amendment) Bill, 2024 seeks to address these gaps by introducing clear and specific functions for the deputy governor. By defining their roles in areas such as administrative oversight, budget monitoring, and stakeholder engagement, the Bill aims to enhance accountability and foster harmonious working relationships within county governments. It also proposes amendments to allow deputy governors to represent governors in Summit meetings, strengthening intergovernmental coordination and ensuring more effective service delivery.

3. OVERVIEW OF THE BILL

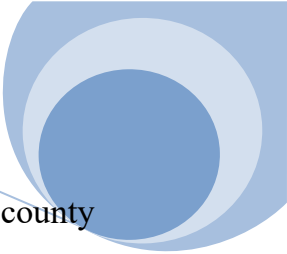
What functions does the Bill propose for the deputy governor?

The County Government Laws (Amendment) Bill, 2024 introduces the following key amendments-

(a) Amendments to the County Governments Act, Cap 265

Clause 2 seeks to amend Section 32 by deleting the existing section and replacing it with a new section that outlines the specific functions of the deputy governor, including:

- Deputizing the Governor: The deputy governor shall deputize the governor in the execution of the governor's functions, including the general administration of the county government and overseeing the implementation of county executive committee decisions.
- County Executive Committee Roles: The deputy governor may undertake specific roles assigned by the governor as a member of the county executive committee, including making recommendations to the governor on matters related to their assigned portfolio.

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- Representation: The deputy governor shall represent the governor and the county government in various official capacities at both the national and county levels of government.
 - Intergovernmental Relations: The deputy governor shall facilitate and maintain effective intergovernmental relations between the county government and the national government to promote the interests of the county and ensure effective service delivery.
 - Public Engagement: The deputy governor shall engage with the public and various stakeholders on issues affecting the county, addressing concerns, and promoting transparency and accountability in governance.
 - Budget Implementation: The deputy governor shall assist the governor in the implementation of the county budget, including monitoring expenditure, ensuring fiscal responsibility, and promoting financial accountability in line with national and county regulations.
 - Liaison with County Assembly: The deputy governor shall serve as a liaison between the county executive committee and the county assembly, fostering positive relations and enhancing the smooth implementation of the county government's development agenda and policies.
 - Appearing Before the County Assembly: The deputy governor shall, from time to time, appear before the county assembly to respond to questions regarding the implementation of county development projects by the county executive committee.
 - County Executive Meetings: The deputy governor shall attend county executive committee meetings as a member and is entitled to reasonable notice of such meetings.

(b) Amendments to the Intergovernmental Relations Act, Cap 265F

Clause 3: seeks to amend Section 9 to allow a Governor to nominate the Deputy Governor to represent them in meetings of the National and County Government Coordinating Summit if the Governor is unable to attend.



4. CONSEQUENCES OF THE BILL

The **County Government Laws (Amendment) Bill, 2024** will ensure a clear definition of roles for the Deputy Governor, enhancing county governance by providing a structured framework for their responsibilities. Additionally, the Bill is expected to reduce political tensions between Governors and their Deputies by clarifying their respective roles and fostering more harmonious working relationships. Ultimately, these changes will improve accountability and service delivery at the county level, ensuring that devolution benefits all citizens.

5. WAY FORWARD

What next?

Pursuant to standing order 145 of the Senate Standing Orders, the Standing Committee on Devolution and Intergovernmental Relations 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 Devolution and Intergovernmental Relations.

Next step

The Bill was Read a First Time in the Senate on 5th March 2025. 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 4th April, 2025.

Note:

1. This Digest reflects the Bill as published and does not cover any subsequent amendments to the Bill made after its publication.
2. The Digest does not have any official legal status.