



THIRTEENTH PARLIAMENT
THE SENATE
OFFICIAL REPORT



Fifth Session

Wednesday, 17th June, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Wednesday, 17th June, 2026

Afternoon Sitting

*The House met in the Senate Chamber,
Parliament Buildings, at 2.32 p.m.*

[The Speaker (Hon. Kingi) in the Chair]

PRAYER

DETERMINATION OF QUORUM AT
COMMENCEMENT OF SITTING

The Speaker (Hon. Kingi): Clerk, do we have quorum?

(The Clerk-at-the-Table consulted with the Speaker)

Serjeant-at-Arms, kindly, ring the Quorum Bell for 10 minutes?

(Loud consultations)

The Speaker (Hon. Kingi): Hon. Senators, kindly, settle down. Senator for Lamu County.

We have quorum now, so we will start the afternoon's business. Clerk, you may proceed to call the first Order.

The Chairperson Standing Committee on Health or a Member of that Committee for that matter.

PAPER LAID

REPORT ON PETITION: PROPAGATION AND COMMERCIALISATION
OF NEW GENERATION MUTHEA ANTI-VENOM IN KENYA

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I beg to lay the following Paper on the Table, today, Wednesday, 17th June, 2026- UFJ8B8J1GZ

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Report of the Standing Committee on Health on a petition to the Senate by Mr. Patrick Musilu and others concerning protection and propagation of the commercialisation of the New Generation Muthea Anti-venom in Kenya.

(Sen. Cheruiyot laid the document on the Table)

The Speaker (Hon. Kingi): Next Order, Clerk.
The Chairperson Standing Committee on Health.

NOTICES OF MOTIONS

ADOPTION OF REPORT ON PETITION ON PROPAGATION AND COMMERCIALISATION OF NEW GENERATION MUTHEA ANTI-VENOM IN KENYA

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, I rise to give Notice of the following Motion-

THAT, the Senate adopts the Report of the Standing Committee on Health on a Petition to the Senate by Mr. Patrick Musilu and others concerning the protection and propagation of the commercialization of the New Generation (*Muthea*) Anti-venom in Kenya, laid on the Table of the Senate on Wednesday, 17th June, 2026.

The Speaker (Hon. Kingi): Sen. Catherine Mumma.

RESOLUTION ON RISING STUDENT UNREST, ARSON AND INSECURITY IN SCHOOLS

Sen. Mumma: Thank you, Hon. Speaker. I beg to give Notice of the following Motion on behalf of Sen. Veronica Maina and on my own behalf-

THAT, AWARE THAT Articles 43 (1) (f) and 53 of the Constitution of Kenya guarantee every child the right to education, protection, safety and welfare;

COGNIZANT THAT the Basic Education Act, 2013, the Children Act, 2022, the Occupational Safety and Health Act and the Safety Standards Manual for Schools in Kenya require learning institutions to provide safe and secure environments for learners;

CONCERNED THAT Kenya continues to witness recurrent cases of student unrest, school strikes and arson attacks in schools, leading to loss of lives, destruction of property, disruption of learning and psychological trauma among learners and their families;

ACKNOWLEDGING the findings of the National Crime Research Centre (NCRC), the Auditor-General's performance audit report on Fire

Safety Preparedness in Secondary Schools (2020), and the Claire Omolo Task Force Report (2016);

NOW THEREFORE, the Senate resolves that: -

1. The Ministry of Education —

(i) tables in the Senate a status report on the implementation of the various inquiries on school fires including; the Auditor General's performance audit report on Fire Safety Preparedness in Secondary Schools (2020), the National Crime Research Centre (NCRC) (2016), the Claire Omolo Task Force Report (2016), and the Bombolulu Commission of Inquiry Report (1998);

(ii) strengthens school infrastructure safety and emergency preparedness by conducting mandatory annual fire safety audits in all boarding schools, allocating resources for improvement of dormitories including installation of emergency exits, firefighting equipment and fire detection systems, and developing clear national evacuation and disaster response protocols;

(iii) develops modalities of phasing out boarding schools and introducing a hybrid set-up where all schools have both day and boarding arrangements;

(iv) in collaboration with the county governments, maintain sustained intergovernmental investment in modern fire-fighting infrastructure, emergency response equipment, evacuation systems, communication systems, and capacity building for qualified fire safety, disaster management and emergency response to ensure timely and effective response to fire accidents and emergencies within learning institutions and surrounding communities; and,

2. the Teachers Service Commission (TSC) enhances student discipline, wellbeing and stakeholder engagement; and that

3. pursuant to Standing Order 228 (4) (a), the Senate Standing Committee on Education to inquire into the issue of school unrests and arson in schools in the country and table a report within 90 days from the date of adoption of this Motion.

The Speaker (Hon. Kingi): Next Order. Hon. Senators, allow me to invoke Standing Orders No.45(2) to rearrange today's Order Paper. We need to conclude Order No.10 before we embark on our recess, and we only have today and tomorrow. Therefore, we will deal with Orders No.8, 9 and 10 and thereafter, come back to the statements.

Clerk, you may proceed.

BILL*First Reading*THE CROPS (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILLS No.8 OF 2023)

*(Order for First Reading read – Read the First Time and
ordered to be referred to the relevant Senate Committee)*

The Speaker (Hon. Kingi): Next Order.
The Majority Leader?

MOTION

RECONSTITUTION OF STANDING COMMITTEES

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, thank you. I beg to move the following Motion-

THAT, NOTWITHSTANDING the resolution of the Senate made on 12th February, 2025 on the approval of Senators to serve in various standing committees of the Senate and pursuant to Standing Orders No.197, 199, 228 and the Fourth Schedule to the Standing Orders; the Senate approves the following Senators nominated by the Senate Business Committee (SBC) to serve in the standing committees of the Senate as follows-

1. Committee on Information Communication and Technology (ICT).

(a) Sen. Agnes Kavindu to replace Sen. Beatrice Akinyi Ogola

2. Committee on Energy.

(a) Sen. Abdul Mohamed Haji to replace Sen. Beatrice Akinyi Ogola.

(b) Sen. Moses Kajwang to replace Sen. Edwin Sifuna.

3. Committee on Agriculture.

(a) Sen. Beatrice Akinyi Ogola to replace Sen. Moses Kajwang.

Mr. Speaker, Sir, these are routine changes at the committees. These have come from the Minority Side. We have similar ones on the Majority Side, which we have just submitted, but we missed the deadline for SBC yesterday. We are hoping that if you could favour us – and this is the wrong way to do it. I needed to come to your office, but if we find favour with you, your honour, your excellency, the conqueror, son of Kamale.

(Laughter)

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The Speaker (Hon. Kingi): Majority Leader, you come to my office.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I am wondering whether Sen. Khalwale has visited you of late. You have become very tough on me for no apparent reason.

Anyway, these are very routine matters. I do not want to waste the House's time. That is the procedure.

I beg to move and request the Minority Leader, Sen. Stewart Madzayo, whose business ideally this is, to second.

The Senate Minority Leader (Sen. Madzayo): Thank you, Mr. Speaker, Sir. I second.

(Question proposed)

The Speaker (Hon. Kingi): Just like the Majority Leader has indicated, this is a procedural Motion. The Floor is open for debate. However, with your concurrence, I may proceed to put the question.

I will proceed to put the question.

(Question put and agreed to)

Next Order.

BILL

Second Reading

THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO.10 OF 2026)

(Sen. Ali Roba on 16.06.2026)

(Resumption of debate interrupted on 16.06.2026)

At the rise of the House yesterday, Sen. Peris Tobiko had the Floor and had a balance of 15 minutes. She is not present and, therefore, we will follow the queue as reflected in my dashboard.

Sen. Maanzo?

Sen. Maanzo: Thank you, Mr. Speaker, Sir. I rise to support this Bill; The County Allocation of Revenue Bill (Senate Bills No.10 of 2026). This House requested for a higher amount as an allocation to the counties and, upon negotiations with the National Assembly, they added an amount which the Senate still feels was not sufficient. However, I would like to say that though the Senate stands for devolution and devolution

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is the answer to development in the counties, there have been challenges since the advent of the new Constitution.

First of all, low allocations. Secondly, accountability has been an issue, and despite all these challenges, you will find that counties are also raising their own revenue. Before this House is a request for a statement, now that there is a new system in the counties where the Senate can also access and know the payments being made. One of the biggest challenges is that we are still dealing with pending bills since devolution started in many counties, and this has hindered development. There are a lot of pending bills which have not yet been sorted for one reason or another.

Mr. Speaker, Sir, we also had an issue with the headquarters of Tharaka Nithi, which was delayed by investigations. I believe by now, every county should be having its headquarters completed and functioning. We still find challenges in many counties and when you move by, you are surprised that despite the devolution and governors being at work, you still find many towns and cities in the counties still with uncollected garbage, which should be a thing of the past. There should be the minimum that the counties can do.

There are many county roads which have not been done. It was hoped that the roads which are devolved should have been devolved.

Some of these organizations which are handling roads at the national level, other than the Kenya Rural Roads Authority (KeRRA) and Kenya National Highways Authority (KeNHA), the rest should be functioning at the counties. If those monies were to be sent to the counties, then the county allocations will increase. Roads are a challenge in many counties up to today, including in my county, Makeni. We still have a lot of undone roads despite the challenges which are there and the rains which swept most roads recently.

Mr. Speaker, Sir, with this sort of allocation, you are still going to expect challenges in terms of development in the counties. There are devolved functions. Agriculture and health should be fully devolved. When the report of the Committee on Health came to this House, we had visited Makeni. One of the biggest challenge was on how to deal with the refuse from the hospital. This is also a challenge in many other parts of the country.

The government mortuaries where the dead are preserved still have a lower capacity and the others which would have been developed are not yet developed. We could associate this with the failure of fully devolving the health department. There are a lot of machines which are still being run and bought by the national government on contract. If these monies were devolved, the county allocations would still be bigger.

Mr. Speaker, Sir, when it comes to the building of markets, this is a function of the counties, but the national Government has taken it. It is the one building markets in different parts of the country and most of them have stalled. They were commenced but work has stopped. Very little activity is happening.

The other issue is the environment, which is still devolved like the case of the Kenya Wildlife Services (KWS) and the elephants. The elephants are still roaming at the counties and quite a number of requests for statements have been brought to this Floor,

including one from Makueni by me. Even up to this week, a young child was killed by an elephant somewhere around Kiboko in Makueni and a mother injured.

Mr. Speaker, Sir, when you want to sort this out, it is torn between the national government and the counties. When the residents ask who should be dealing with the payments, they say there is the role of the county and there is the role of the national government. These are some of the things which should be sorted out, so that there is a clear way on the monies associated with the counties dealing with wild animals and how KWS is going to operate within those areas. It is not clear and people are suffering from wild animals.

I have heard a number of Senators here raise issues from different counties, especially on people being killed by wild animals and yet, we have a Bill pending in this House. I had processed one at the National Assembly about snake bites. When I came to this House, I found that the Senator for Taita Taveta had brought that Bill here. A number of Kenyans are being killed by snakes and we are yet to process that Bill here so that we can have snakes as one of the animals when they injure somebody, there is compensation.

Mr. Speaker, Sir, the challenges are many. I do not want to repeat what my colleagues have already said on this Floor. I am also aware that we need to process this Bill as quickly as possible so that monies can go to the counties. A number of governors have appeared before our Committee and I believe those who had issues not appearing have no issue anymore and should be appearing so that there could be accountability.

The Senate works with audited accounts. That is how we oversight but a number of people still think we should be doing the work of county assemblies. The law is clear and our role is clear. We support devolution. We want it to succeed. We are going to work harder to make sure more resources go to the counties. This must begin with the devolving the Fourth Schedule fully so that agriculture, health and issues related to environment and water could fully be devolved to the counties and that governors can take full charge of those activities so that counties can develop.

Mr. Speaker, Sir, I do support and I thank you for the opportunity to contribute to this very important Bill.

The Speaker (Hon. Kingi): Before I call Sen. Okoiti to make his comments, allow me to make this Communication.

Sen. Korir, kindly take your seat.

(Sen. Korir walked into the Chamber)

(Interruption of debate on the Bill)

COMMUNICATION FROM THE CHAIRVISITING DELEGATION FROM KIVULINI
SCHOOL IN KIAMBU COUNTY

The Speaker (Hon. Kingi): Hon. Senators, I would like to acknowledge the presence of a visiting delegation of seven teachers and 84 students from Kivulini School in Kiambu County, who are seated in the public gallery this afternoon. The delegation is visiting the Senate for an academic exposition.

On behalf of the Senate and on my own behalf, I extend a warm welcome to the delegation and wish them a fruitful visit.

I thought Sen. Karungo was in the House. Well, the immediate neighbour should be Nairobi. I will call upon the Senator for Nairobi City County to extend a warm welcome in under one minute.

Sen. Sifuna: Thank you, Mr. Speaker, Sir. You may remember that I was in Kivulini Grounds on Sunday. We had a very good time there as the Linda Mwananchi Brigade.

I take this opportunity on behalf of your Senator, Sen. Karungo Thang'wa, who has just stepped out, to welcome you to the Senate this afternoon.

I hope that you get to follow the proceedings of the House and learn a few things here and there and we pray that you are successful in your education and that some of you will find yourselves in these seats because we were where you are a few years ago. You will find yourselves in these leadership positions in this country because the future belongs to you. Do not let anyone tell you anything else.

With those remarks, Mr. Speaker, Sir, I thank you.

The Speaker (Hon. Kingi): Sen. Okioti Omtatah.

(Resumption of debate on Bill)

Sen. Okiya Omtatah: Mr. Speaker, Sir, thank you for the opportunity to contribute to The County Allocation of Revenue Bill (Senate Bills No.10 of 2026).

As has been observed, this is a very important Bill that keeps our county governments going. When our county governments are going well, the national Government is doing well. We have had many hiccups in the county governments in terms of implementation of their budgets.

I would invite this House to consider - which is the same thing we should consider at the national level - control of public money. How do we control public money and what is the architecture in the Constitution for controlling public money? We raise money, we distribute the money nationally and at the county levels, then we lose control. So, how do we control this money?

Mr. Speaker, Sir, I am inviting this House to look at Article 225 (1) and (2). In that article, the subheading of the section is control of public money and the first requirement is for Parliament to establish a national Treasury. In the second line of that

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article, there is a requirement for legislation to provide for the control and use of public funds. That article clearly anticipates two laws.

We have ended up with one law called The Public Finance Management Act. In the process, we have lost a very big aspect of the nature and character of the Treasury at the national level and the treasury at the county level. At the national level, the Treasury for all practical purposes is the President.

Section 11 of the Public Finance Management (PFM) Act clearly states that-

“(1) There is established, pursuant to Article 225 of the Constitution, an entity of the national government to be known as the National Treasury.

(2) The National Treasury shall comprise of—

(a) the Cabinet Secretary;

(b) the Principal Secretary; and

(c) the department or departments, office or offices of the National Treasury responsible for economic and financial matters.

(3) The Cabinet Secretary shall be the head of the National Treasury.”

A similar arrangement is replicated in the counties where we have got the County Executive Committee Member (CECM) and Chief Officer (CO) for Finance running the county treasury and serving at the pleasure of the governor. At the national level, they serve at the pleasure of the President.

At the end of the day, you end up with the governor being the treasurer of the county and the President being the treasurer of the national Government. The individuals, honourable or excellences as they are called, are politicians and politicians seek to attract support. You give them a pot of honey and they use it to attract whatever they want to attract. Therefore, treasuries become tools for attracting political support and not for development.

When you go to the counties, the County Integrated Development Plans (CIDPs) and budgets are made but at the end of the day, what happens is what the governor wants to see happening. When you come to the national level, we go through a strenuous and demanding process of budget-making right from the ground programmed up to the top. For example, the National Assembly makes a budget which is passed but what is implemented is not that budget but the whims of the President simply because the President has got the knife and the cake as Achebe would put it.

A governor at the county level also has the same arrangement. County assemblies are voiceless because the only tool they can use to control the governor, which is money, is already with the governor. When you come to the national level, the only tool that Parliament could use to control the President is money but the money is already with the President, yet our Constitution requires those things to be separate.

Just even a casual look at the Constitution, the Cabinet is found in Article 152 while the National Treasury is found in Article 225. It was not idle exercise that the separation was physical even in the document itself. Therefore, the idea that the National Treasury should be a Ministry of the national Government hurts devolution in a bad way. Other than losing control of public money, which should be controlled through this and our sister House, the National Assembly, we get to a situation where the President,

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through the Cabinet Secretary and Principal Secretary (PS) for the National Treasury, control the National Treasury. That is what plays out.

Mr. Speaker, Sir, the other day you were at a function and I was watching you. You celebrated with heaps of rice because of one young man who had been made a PS. You praised him, sang and danced while jumping around. At the end of the day---

The Speaker (Hon. Kingi): Sen. Omtatah, why do you want to build your house on sinking sand? Abandon that line and proceed to make comments necessary and relevant to this debate.

Sen. Okiya Omtatah: Mr. Speaker, Sir, I apologise and withdraw, but the point has been made.

Mr. Speaker, Sir, what I am trying to say is that at that meeting where you were, you began making a mini-budget with the President by telling him what you need. The Senate Minority Leader was also there. He also said where he needs to see a road and what else needs to be done.

I was asking myself, this is the Speaker and a Member of the Senate and Members of Parliament (MPs) in the National Assembly---

The Speaker (Hon. Kingi): Sen. Omtatah, leave the Chair out of your comments, please.

Sen. Okiya Omtatah: I am guided, Mr. Speaker, Sir. I apologise and withdraw.

(An hon. Senator spoke off record)

The Senate Minority Leader was there.

(Laughter)

They made a budget. I am talking about that because it is the most recent. They were enjoying *Biryani* and other things that we find unpalatable in western, but you like them at the coast. If you gave *Biryani* to Sifuna for dinner, he will wake up at night to demand a meal because he has been raised on stronger stuff.

(Laughter)

Parliament makes a budget after going through all the rigours and other things that we do here, but what happens? When the President appears in a village, you stand up and begin saying you need this and that, and the President says he will grant you. The same applies to governors. When a governor appears at a funeral, people say they need this and that but there is a budget that was made for that county and those things are not in the budget. However, the governor grants them. That is where there is a problem in this country. We have disobeyed Article 225(1) of the Constitution to set up independent treasuries.

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In this country, we have a presidential system but we cannot shut down the Government of Kenya like it happens in the United States (US) where the government can be shut down because the budget has not been passed. We cannot do that here.

Again, I want to invoke and harass my brother bishop. There is a Bill he was supposed to bring on separating the National Treasury---

The Speaker (Hon. Kingi): Sen. Omtatah, you shall refer to your colleagues as “hon. Senator so-and-so.”

Sen. Okiya Omtatah: Okay, the hon. Member from Kitui County.

(Loud consultations)

The Speaker (Hon. Kingi): Order, hon. Senators.

Sen. Okiya Omtatah: Bishop simply means “elder” in Greek. It does not mean anything because it is not a title of pastor. It just means an elder and this is an elder from Kitui.

(Loud consultations)

The Speaker (Hon. Kingi): Order, hon. Senators.

Sen. Okiya Omtatah: The gentleman from Kitui---

The Speaker (Hon. Kingi): Sen. Omtatah, you should not refer to your colleague as a gentleman from Kitui.

Sen. Okiya Omtatah: Mr. Speaker, Sir, I will differ with you there strongly because he is a gentleman from Kitui. Let us get the right terminologies to be used in this House. I understand my English. Even if you go to the Senate of the US, where we borrowed from, they refer to each other as gentleman or lady from here or there.

The Speaker (Hon. Kingi): Sen. Omtatah, please, take your seat.

(Sen. Okiya Omtatah sat at his place)

Sen. Omtatah, this is a House of rules and procedure. In this term, we are now four years down the line. By now, you must be versed with the provisions of our Standing Orders, especially the Standing Order that demands that you refer to your colleagues as hon. Senator so-and-so. It is not a directive from the Chair, but a demand by our Standing Orders. Kindly proceed to refer to the hon. Member from Kitui as hon. Sen. Enoch Wambua. Leave the issue of ladies and gentlemen to other jurisdictions.

Sen. Okiya Omtatah: Okay, the honourable gentleman from Kitui.

The Speaker (Hon. Kingi): Sen. Omtatah, I have directed you.

Sen. Okiya Omtatah: But you have also referred to him as a man from Kitui?

The Speaker (Hon. Kingi): You need to respect our Standing Orders. Just stick to our Standing Orders. Leave alone the Englishmen to refer to their fellow Englishmen the way they want to. Let us stick to our Standing Orders.

Sen. Okiya Omtatah: Mr. Speaker, Sir, maybe I need some guidance. What is dishonourable in referring to somebody as a gentleman?

(Loud consultations)

Okay. For the sake of harmony, let me refer to nobody.

(Laughter)

The Speaker (Hon. Kingi): You may proceed, Sen. Omtatah.

Sen. Okiya Omtatah: Thank you, Mr. Speaker, Sir. I will proceed.

There was a proposal to move a Bill to help us separate the treasuries at both the national and county levels from the Executive, so that we can restore control of money through the elected assemblies and with the use of independent civil servants who enjoy security of tenure as custodians of the public purse. The only way money can be moved from the Treasury is through the budget and it must have been approved by the Controller of Budget.

Today, money is being moved from the Treasury in a manner you do not understand. If you look at the Statement of Actual Revenue and Net Exchequer Issues that is published, which is by law required to be published within 21 days of the end of each month, you will find movements of money - gazillions of monies - being moved that are not in the budget. They will do things that are not in the budget.

I have never seen domestic borrowing in any budget I have examined since 2010, yet we borrow more than a trillion shillings domestically without the approval of Parliament. Let us restore control of money. Let us drain the swamp.

The other day, I saw Senators, and all of us fought very hard to add about Kshs5 billion to the allocation to our county governments. I am doing an audit of the budget right now. I am almost halfway done and I have identified Kshs90 billion in ghost allocations. The ghost allocations are called Other Operating Expenses. In the Ministry of Interior and National Administration, Kshs14 billion is allocated. The largest allocation is for other expenses that are not defined, yet we are here struggling over Kshs5 billion or Kshs10 billion. Already Kshs90 billion, if you read through the budget, is being misallocated through something called Other Operating Expenses.

What are these other operating expenses that have no name? We require votes for everything. If you look at the ministry, you find they have covered everything that is to be covered. What are these expenses? So, we have a lot of money being stolen on the revenue side of things, forget about theft through expenditure, which in comparative terms is negligible. The theft that is happening on the revenue side is scary. This House must come up with a mechanism.

The Speaker (Hon. Kingi): What is your point of order?

Sen. Cherarkey: Mr. Speaker, Sir, I rise under Standing Order No.105 on responsibility of facts and Article 211 on borrowing by the national Government. Is it in order for the distinguished Senator and presidential hopeful, Sen. Okiya Omtatah, to say

there is borrowing by the national Government without approval of Parliament, quoting Kshs1 trillion plus? Is it in order, yet the Constitution under Article 211, states that Parliament shall approve? Can he substantiate the allegation?

(The Senators consulted loudly)

The Speaker (Hon. Kingi): Order, hon. Senators. Sen. Onyonka, it is not a fact as far as the Senator for Nandi is concerned. That is why he has stood on a point of order seeking that particular allegation to be substantiated.

(Sen. Cherarkey stood at his place)

Take your seat, Senator for Nandi.

Sen. Okiya Omtatah, you have made an allegation that the Government has made certain borrowings without the approval of Parliament as the law demands. Would you substantiate those allegations now? If not, you may wish to substantiate them in the next sitting, which is tomorrow. Would you wish to substantiate immediately? If not, then you can proceed to withdraw that statement.

Sen. Okiya Omtatah: I have never withdrawn anything in my life.

(Laughter)

The Speaker (Hon. Kingi): Order! Order, hon. Senators. The Member has just stated he has never withdrawn anything in his life. Allow him to stand by his assertion.

Proceed.

Sen. Okiya Omtatah: Mr. Speaker, Sir, I hope my time is being saved. Before I substantiate, we must understand that information is immaterial. That is why we are told that in the beginning was the word, and the word was with God, and the word was God. It is immaterial. It is spiritual.

I want to begin by partially substantiating. Where in the budget was the money that was given to the Nyota Fund by the World Bank approved? What about the loan that was given? Going forward, I request that tomorrow, the Clerk set up the instruments. I will be here and will need 30 minutes to substantiate. I will walk you through the budgets and the statements of accounts of the Government, to show you how we are being looted. Can that be done for me tomorrow? Thirty minutes of substantiation.

(Applause)

The Speaker (Hon. Kingi): Order, Hon. Omtatah. You have just indicated that you are unable to substantiate instantly, and therefore, you are requesting to do so tomorrow. Very well. You may proceed to conclude your comments.

Sen. Okiya Omtatah: But the request is that I be allowed to---

The Speaker (Hon. Kingi): You may proceed.

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Sen. Okiya Omtatah: Let the gadgets be actualised, the country be hooked on and I do the substantiation online for everybody to see. I will leave you to decide whether I have substantiated or not.

The Speaker (Hon. Kingi): Sen. Omtatah, you cannot dictate how this House proceeds on this matter.

Sen. Okiya Omtatah: I am an elected representative. I represent taxpayers and the only reason I am here is that people pay taxes. Everything else is irrelevant. When it comes to public money, I will dictate how that public money is to be used. I would rather be thrown out of this House than be part of the scam. I achieve nothing sitting in this House if it cannot control public money. I would rather be thrown out and never be a Senator in my life than be part of the scam.

That is why I am saying---

The Speaker (Hon. Kingi): Sen. Omtatah, order! If I were you, I would have saved that energy for tomorrow when you are substantiating. You said you are unable to do so right now. Can you save that energy for tomorrow with all the gadgets? You may now proceed.

Sen. Okiya Omtatah: I only requested that the matter of substantiation should not be a case where I hand you a flash disk, then you come and tell us whether I have substantiated or not. I want to do it in the open, on the screens, so that every person in this country can see that I have substantiated. Our Government is engaging us in odious debt, which has not been approved by Parliament. The only reason I am here ---

The Speaker (Hon. Amason Kingi): Sen. Omtatah, we have concluded that matter.

Proceed to conclude your comments.

Sen. Okiya Omtatah: Thank you, Mr. Speaker, Sir. I am well guided. I would like to be informed by the Whip.

The Speaker (Hon. Kingi): I have not given any permission for any information. Proceed to conclude your comments.

Sen. Okiya Omtatah: Mr. Speaker, Sir, this Bill is very important for us, but it amounts to pounding water in a mortar if we do not restore the checks and balances that ensure public money is controlled. We must control money.

On the system that is broken, as my brother is saying, (I hope it is parliamentary to call you my brother), it is good for us to go back to Parliament. I would be requesting the leadership of the House to give prominence to the requirement in the Constitution that we have control over public funds, that the power of the purse leaves the presidency and comes back to Parliament, that the power of the purse leaves the governors' chambers or residence and comes back to the county assemblies. That is not a manifesto issue. It is an issue in the Constitution that requires implementation.

Article 225(1) of the Constitution is clear, and you have to read it as separate from Article 225(2). We were required to make two laws. However, we made one and made a mess of it. Consequently, the country is suffering because of that. This is something we can do. I do not know how to refer to him, but there is a way in which somebody was to bring a Bill. I do not know if he can use my time just to inform the House if the Bill is in

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process, or not. He knows himself. I do not know how to refer to him, but that should be able to help us.

(Sen. Wambua spoke off record)

Yes, I would like to be informed.

The Speaker (Hon. Kingi): Proceed, Sen. Omtatah, to conclude.

Sen. Okiya Omtatah: He had requested to inform me. So, through the Speaker, I request that Sen. Wambua informs me.

The Speaker (Hon. Kingi): Sen. Omtatah, you need to acquaint yourself with our Standing Orders. You are a very good debater, but you seem not to have a good grasp of our Standing Orders. Proceed with your comments and conclude.

Sen. Wambua, what is your point of information?

Sen. Wambua: Thank you, Mr. Speaker, Sir. I take the Floor to inform the Senator from Busia County that---

The Speaker (Hon. Kingi): Sen. Wambua, I have not granted you permission, neither have I posed the question to the Hon. Senator whether he is amenable to your request to inform him.

Sen. Wambua: Mr. Speaker, Sir, you called me.

The Speaker (Hon. Kingi): Yes and what you were supposed to do was to indicate that you wish to inform the Hon. Senator.

Sen. Wambua: Yes.

The Speaker (Hon. Kingi): In which case, then, I will ask him if he is amenable to your request.

Sen. Wambua: He had requested it earlier, but we will be guided by you.

The Speaker (Hon. Kingi): We have procedures.

Sen. Wambua: All right, thank you.

The Speaker (Hon. Kingi): Sen. Wambua, are you serving your third term?

Sen. Wambua: Second term.

The Speaker (Hon. Kingi): You are a ranking Member. We know these procedures, so let us stick with them.

Sen. Omtatah, would you wish to be informed?

Sen. Okiya Omtatah: Yes, I wish to be informed by the honourable Senator from Busia County; sorry, Kitui County.

(Laughter)

When I use the word "Senator", I tend to refer to myself.

The Speaker (Hon. Kingi): You may proceed, Senator.

Sen. Wambua: Thank you, Mr. Speaker, Sir, for that free lesson on our Standing Orders.

I would like to inform the Senator from Busia County. In the course of his presentation, I virtually consulted the Clerk-at-the-Table and I am waiting for an update

on how far the secretariat has gone in drafting that Bill to permanently separate the National Treasury from the National Treasury and Economic Planning, so that the National Treasury equally serves both levels of government; that, it does not serve the national Government at the expense of county governments.

I have been waiting for that Bill to be drafted for such a long time, and I hope that this time around, the Senator from Busia County will not remind us about that intention to bring that Bill to the Floor another time.

I thank you, Mr. Speaker, Sir.

The Speaker (Hon. Kingi): Sen. Omtatah, you may proceed.

Sen. Okiya Omtatah: Thank you, Mr. Speaker, Sir. Yesterday, Sen. Cherarkey referred to a very important aspect of Article 219 of the Constitution, which requires that funds be given to counties in good time. That cannot happen as long as the National Treasury is part of the national Government. The National Treasury was supposed not to be part of any government. It was supposed to be autonomous and to serve all the governments equally. The delay is caused because the national Government demands on having a full belly and a leftover before it thinks of the county governments.

A statement like the one that sometimes the President uses, that, “I have given counties money”, is not part of our anticipated constitutional framework. It is not supposed to be the President who gives money to counties. It is supposed to be the independent Treasury, which upon receiving the budget, makes sure that by the 15th of every month, the county governments are served.

So, Mr. Speaker, Sir, this is a good Bill. The efforts have been made in the Houses, here and in the National Assembly. We have this Bill and we are going to pass the money. However, we are going to lose control of the money that is going to the county governments to the governors because they are the treasurers. Consequently, the governors will use that money to do as they wish. At the end of the day, they will come here before our committees, and when they are asked the tough questions, they will say they are being extorted. So, I really pray that we drain the swamp.

Thank you, Mr. Speaker, Sir. I support this Bill.

The Speaker (Hon. Kingi): The Mover of this Bill was the Chairperson of the Senate Standing Committee on Budget and Finance. You may now move to reply.

Sen. Ali Roba: Thank you, Mr. Speaker, Sir. I beg to reply. I would like to extend my sincere appreciation to the Hon. Senators who contributed in support of The County Allocation of Revenue Bill (Senate Bills No.10 of 2026), whose main objective is to facilitate the funds flow to county governments.

In replying, most responses have come out in support. There is only one issue that has stood out that I need to clarify. In the Division of Revenue Bill (DORb), there was inclusion of Kshs8.94 billion meant for Universal Health Coverage (UHC). Unfortunately, DORB only covers the vertical share of revenue between the national Government and county governments. In the wisdom of the Committee, the right place for that to have been placed was in the County Government Additional Allocation Bill, 2026 because if it went into DORB, then we would have applied the fourth basis of revenue sharing formula, which will mean the monies would have been equitably shared,

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yet UHC workers are not the same in numbers Mandera, Kisii or Kilifi counties. It was supposed to be specific to different county governments. As such, the best place it would have served would have been under the County Government Additional Allocation Bill, 2026, where the schedule will specify the number of UHC workers in each specific county.

Subsequently, then the county governments can absorb UHC workers this year using the funds allocated in the County Government Additional Allocation Bill, 2026, but then, DORB is enhanced in subsequent year, in order to make sure that absorption is properly taken care of.

Mr. Speaker, Sir, since the matter is pretty straightforward, it covered the horizontal share of revenue and the schedules that relate to various counties and what they have benefited from, the Kshs428 billion that was the equitable share to county governments.

I beg to reply.

The Speaker (Hon. Kingi): Before I ask the Serjeant-at-Arms to close the door, we will ring the quorum bell for two minutes.

(Quorum Bell was rung)

Serjeant-at-arms, you may lock the door and draw the bar.

(The doors were closed and Bar drawn)

Clerk, kindly confirm that the system is ready, so that I put the question for voting.

Before I put the question, let me remind the nominated Senators again. I am told you are well advised.

(Question proposed)

(Voting in progress)

Sen. Joyce Korir, on behalf of Bomet County, kindly proceed and cast your vote.

DIVISION

ELECTRONIC VOTING

*(Question, that the County Allocation of Revenue Bill
(Senate Bills No.10 of 2026 be now read a Second Time,
put and the Senate proceeded to vote by County Delegations)*

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji; Garissa County; Sen. Ali

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Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joyce Korir, Bomet County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang', Homa Bay County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mungatana, Tana River County; Sen. Murgor, West Pokot County; Sen. Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Wafula; Bungoma County and Sen. Wambua, Kitui County.

The Speaker (Hon.) Kingi): Order, hon. Senators, we have the division result and it is as follows-

AYES: 27

NOES: Nil.

ABSTENTION: Nil.

The Ayes have it.

(The Bill was read a Second Time and committed to a Committee of the Whole tomorrow)

Serjeant-at-Arms, you may open the doors and withdraw the Bar.

(The doors were opened and the Bar withdrawn)

Hon. Senators, with further rearrangement of the Order Paper, we will handle Order No.13 and No. 14. Before I call those two orders, allow me to make this Communication.

Sen. Beth Syengo, take your seat.

(Sen. Beth Syengo sat in her place)

COMMUNICATION FROM THE CHAIR

SUBSTANTIATION OF REMARKS MADE
BY SEN. CHERARKEY, MP

The Speaker (Hon.) Kingi): Order, Hon. Senators, as you will recall, during the sitting of the Senate held on Tuesday 16th June 2026, while contributing on the Second Reading of the County Allocation of Revenue Bill, (Senate Bill No.10 of 2026), the Senator for Nandi County, the hon. Samson Cherarkey, MP, stated as follows, and I quote-

“They should demonstrate in individual governors’ offices. However, I know most of the governors are absentees. Most of them are in Nairobi more than they are in

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their homes. Others are in Dubai and South Africa. I am told when Dubai was bombed, they shifted their base to South Africa, to gallivant and perambulate. They should look for those governors wherever they are. My governor has also been absent forever. Nowadays, he is an errand boy of the Cabinet Secretary of Interior and National Administration, just attending funerals.”

It was at this point that the Senator for Mandera County, the hon. Sen. Ali Roba MP, rose on a point of order pursuant to Standing Order No.105, challenging Sen. Cherarkey to substantiate his allegations that most governors reside in Dubai and South Africa and that the Governor of Nandi County has become an errand boy.

I, therefore, directed Sen. Cherarkey to substantiate his remarks as required under Standing Order No.105 (1).

Hon. Senators, as you are aware, Standing Order No. 105 (1) states as follows-

“A Senator shall be responsible for the accuracy of any facts that the Senator alleges to be true and may be required to substantiate any such facts instantly”.

(2) If a Senator has sufficient reason to convince the Speaker that the Senator is unable to substantiate the allegation instantly, the Speaker shall require such a Senator to substantiate the allegations not later than the next sitting day, failure to which the Senator shall be deemed to be disorderly within the meaning of Standing Order No. 121 (*Disorderly conduct*) unless the Senator withdraws the allegations and gives a suitable apology if the Speaker so requires”

Sen. Cherarkey, MP, was not able to substantiate his statement instantly and requested for time to do so at the next sitting in accordance with Standing Order No.105(2). Having acceded to the request, I directed the honourable Senator to substantiate the statements at the next sitting day, which is today.

Accordingly, and pursuant to Standing Order No. 105(2), I now invite Sen. Samson Cherarkey, MP to forthwith substantiate the statements he made, failure to which the Senator shall be deemed to be disorderly within the meaning of Standing Order No.121.

In the absence of such substantiation, the Senator will then be required to withdraw the statements and apologise to the Senate.

Senator for Nandi, you may proceed to substantiate.

Sen. Cherarkey: Mr. Speaker, Sir, as per Standing Order No. 105(2), I now want to table documentation and the link that will go a long way to substantiate my assertions. If your office will need further evidence, I am willing to provide.

I beg to table.

The Speaker (Hon.) Kingi): You may table.

(Sen. Cherarkey laid the documents on the Table)

The Chair will look at the documents that you have tabled and make a further Communication.

Sen. Kathuri: Mr. Speaker, Sir, with my little experience in the House, Sen. Cherarkey should say verbatim what he is tabling. This is because you do not just table papers without even explaining what you are tabling.

So, I think he should be able to tell the House what he is tabling. He cannot just give you documents which, may be, are not right for your perusal

You are my good friend, Sen. Cherarkey, but I am trying to teach you how to go about the procedure.

The Speaker (Hon.) Kingi: Senator for Meru, what has just been tabled are photocopied documents. They are extracts from something I believe should be an Instagram page of Stephen Sang. This is the same governor we are talking about or it is Stephen Sang that has no relationship with this debate? I also have a link https://www//standardmedia.co.ke/https/www/standardmedia.co.ke/politics/articles/201541307/governorswhy_north_eastern-countychiefs-are_facing_public_wrath.

That is what has been tabled. I need to look at them and make a further Communication on whether they, indeed, substantiate the allegations that have been made. Let us not waste time on this. We have better business.

Yes, Senator for Nairobi City County.

Sen. Sifuna: Mr. Speaker, Sir, I have also been waiting for Communication from your office about material that I submitted upon request that I substantiate. I wanted to get your direction because if you remember, I had requested the National Assembly to provide me with copies of the HANSARD of the proceedings of 3rd June, 2026. I now have extracts of that HANSARD.

I wanted your direction whether I can also table it so that my matter can also be resolved. It is like a sword of Damocles hanging over my neck. I do not know whether you will throw me out today or tomorrow. The anxiety is getting to me. I also need my case to be decided.

Sen. Wambua: Thank you, Mr. Speaker, Sir. You did very well earlier when you guided me on a point of information. What Sen. Cherarkey has done, and you can guide us on this as well, is that he has tabled documents to substantiate. Compare and contrast that with what Sen. Sifuna has just said, that he has copies of the HANSARD from the National Assembly, specific documents to address a specific issue. What exactly is it that Senator for Nandi has tabled? What document is it? It is not for the Speaker to tell us what he has tabled. It is for him to say what he has tabled. The Speaker will make a determination as to whether what has been tabled is admissible or not.

The Speaker (Hon. Kingi): To start with the matter raised by the Nairobi City County Senator, you may proceed to table the extract of the HANSARD from the National Assembly.

Sen. Sifuna: Thank you, Mr. Speaker, Sir. I hereby table the HANSARD record from the National Assembly proceedings of Wednesday 3rd June, 2026, covering the appearance for the Cabinet Secretary for Health on Kenya's preparedness to deal with Ebola. The instructive paths which I have highlighted are on page 11.

Thank you.

(Sen. Sifuna laid the document on the Table)

The Speaker (Hon. Kingi): Now, moving on to the issue pertaining to the Senator for Nandi County; hon. Senators, I have just told you exactly what had been tabled. The honourable Senator has decided not to tell his colleagues exactly what he is tabling. However, I have taken the liberty to tell you what he has tabled. If in his opinion what is tabled will amount to substantiation, then so be it.

As the Chair, I will rule based purely on what has been tabled, which I have told you are extracts from the Instagram page of a Stephen Sang.

(Loud consultations)

Whatever it is, these are extracts from a page of a Stephen Sang and there are three of those extracts and a link from the Standard Media Group. I will need to look into this and if this material amounts to substantiation of the allegations made, then, of course, a communication will be made.

(Sen. Cherarkey spoke off record)

Let us proceed, you had an opportunity to explain yourself but you elected to stay silent and table. So, we leave it there.

Hon. Senators, let us proceed. We have heavy business to dispense with.

Clerk, call the next Order.

COMMITTEE OF THE WHOLE

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATION BILL (SENATE BILLS NO.8 OF 2026)

(Order for the Committee read)

[The Speaker (Hon. Kingi) left the Chair]

IN THE COMMITTEE

[The Temporary Chairperson (Sen. Mumma) in the Chair]

The Temporary Chairperson (Sen. Mumma): Hon. Senators, could we settle down and move on to the next business, please.

(Senators held loud consultations)

The honourable Minority Leader and Sen. Cherarkey, could we settle down, please? Sen. Abass, Sen. Haji and Sen. Khalwale, please, settle down.

Honourable Senators, we are now in the Committee of the Whole to consider the County Governments Additional Allocation Bill (Senate Bills No.8 of 2026).

Clerk, call out the clause.

Clause 3

Sen. Ali Roba: Madam Temporary Chairperson, I beg to move-

THAT Clause 3 of the Bill be amended in paragraph (a) by deleting the word “Article” appearing immediately after the words “pursuant to” and substituting therefor the expression “Articles 190 and 202(2)”.

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Mumma): Division will be at the end.

Clause 4

Sen. Ali Roba: Madam Temporary Chairperson, I beg to move-

THAT Clause 4 of the Bill be amended by deleting subclause (3).

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Mumma): Division will be at the end.

Clause 5

Sen. Ali Roba: The Temporary Chairperson, I beg to move-

THAT Clause 5 of the Bill be amended—

(a) in subclause (2) by inserting the following new paragraphs immediately after paragraph (d)—

(e) conditional allocations for the transition of Universal Health Coverage (UHC) Workers’ salary to permanent and pensionable terms; and

(f) a conditional allocation to the county government of Meru for the settlement of an outstanding arbitral award and accrued interest as set out in Column G.

(b) in subclause (3) by—

(i) deleting the words “Column Q” appearing immediately after the words “as set out in” and substituting therefor the words “Column R”;

(ii) deleting the word “Institutional” appearing immediately after the words “Project (KUSP)-Urban” in paragraph (i) and substituting

therefor the word “Development”;

(iii) deleting paragraph (l) and substituting therefor the following new paragraph—

(l) conditional allocations financed by proceeds from an IFAD (International Fund for Agriculture Development) loan for the Integrated Natural Resources Management Programme (INReMP) as set out in Column M;

(iv) inserting the following paragraph immediately after paragraph (o)—

(p) conditional allocations financed by proceeds from an IDA (World Bank) loan for the Kenya Watershed Services Project (KEWASIP) as set out in Column Q.

(c) by inserting the following new subclauses immediately after subclause (4)—

(4A) The conditional allocation under subsection (3)(h) shall be allocated among the county governments on the basis of a criteria to be determined as follows—

(a) each of the eligible forty-five counties will access the UIG, set at a flat rate and made available for the first three years of the Program as follows—

(i) US\$250,000 (approximately KSh. 35,500,000) in year 1;

(ii) US\$200,000 (approximately KSh. 26,000,000) in year 2; and

(iii) US\$100,000 (approximately KSh. 14,200,000) in year 3;

(b) for Window for Host Communities and Refugee (WHR), the grant will be allocated at a flat rate of US\$ 500,000, equivalent to KSh. 65,000,000 annually for five years;

(c) county governments shall not access the grant unless they comply with the WHR UIG minimum conditions;

(d) failure to satisfy any of the minimum conditions shall disqualify a county from accessing the WHR UIG Grant.

(4B) The conditional allocation under subsection (3)(i) shall be allocated among the county governments based on the financing agreement between the IDA (World Bank) and the Government of Kenya, on the basis of the following criteria-

(a) UDG performance allocation of Ksh 2,340 per head using the urban area population data of 2019 census;

(b) UDG Minimum floor of KSh. 52 million; and

(c) WHR UDG KSh 2,600 per head using the urban area population data of the 2019 census.

(4C) Conditional allocations under subsection 3(n) shall be allocated among county governments on the basis of the following criteria—

(a) the programme accounting officer shall, for each eligible transfer to a county government, carry out a performance assessment in accordance with the participatory agreement between the National Government and each eligible county government, through the Annual Performance Assessment Firm;

(b) the Annual Performance Assessment shall determine the eligible county government's performance score for purposes of determining the performance grant allocation;

(c) for each Disbursement Link Indicator (DLI) specified under paragraph (e)(iii), a qualifying county government shall be allocated fifty percent of the Level 2 Grant allocation if it meets that respective DLI result;

(d) the balance of fifty percent under paragraph (c) shall be allocated based on the scores against the performance measures pertaining to each respective DLI result area as detailed in the Program Operational Manual;

(e) the investment grant for a qualifying county government is the sum of the allocation under DLIs 3–7 as follows—

(i) DLI 3: Kenya Shillings seventy-five million for each county government that has increased its own source revenue by at least 5 percent annually over and above the rate of inflation;

(ii) DLI 4: Kenya Shillings seventy-five million for each county government that has prepared and is implementing an action plan to reduce the stock of pending bills and maintain it at minimal levels;

(iii) DLI 5: Kenya Shillings ninety-seven million five hundred thousand for each county government that has integrated its human resource records, authorized staff establishment and payroll and uploaded cleaned payrolls in the human resource management information system;

(iv) DLI 6: Ksh45 million for each county government that is enhancing accountability for results through an integrated performance management framework; and

(v) DLI 7: Kshs60 million for each county government with a PIM dashboard with citizen feedback mechanisms.

(4D) Conditional allocations under subsection 3(o) shall be allocated to county governments based on Disbursement Linked Indicators (DLIs) and verified results in the approved Results Verification Report (RVR) by an Independent Verification Agent (IVA) hired by the Program, according to the following formula—

(a) with respect to the allocation to the counties of Baringo,

Bomet, Kericho, Kirinyaga, Kitui, Kwale, Makueni, Mandera, Migori, Murang'a, Nandi, Narok, Samburu, Tana River, Tharaka Nithi, Vihiga, and West Pokot is $C = R1 (938,000 S + 37.38H_w + 4,690Q + 28.14H_s + 1,876VODF + 23,074.8VCWS + 11,256VSWS)$

(b) with respect to the allocation to Turkana and Garissa Counties is $C = R1 (938,000S) + R2 (46.62H_w + 7,630Q + 38.15H_s + 1,526VODF + 15,260VCWS + 3,815VSWS)$

where —

(i) C is the county allocation (The sum of all 19 county allocations shall be not more than KES 4,282,086,900.00. If this amount is exceeded, rationalization will be applied to indicators under DLI/DLR 2, 3, 4, 10.1, 10.2, 11, 12.1, and 12.3.)

(ii) S is a binary variable for DLI 1, $S=1$ if the strategy is verified by IVA as developed in the Approved Results Verification Report (RVR), otherwise $S=0$

(iii) H_w is the Number of households provided with access to improved water services as verified by IVA in Approved RVR (DLI 2 and DLR 10.1)

(iv) Q is the number of sustainably functioning water schemes water schemes meeting standards as verified by IVA in Approved RVR (DLI 3 and DLI 11)

(v) H_s is the number of Households provided with access to an improved sanitation facility as verified by IVA in Approved RVR (DLI 4 and DLR 10.2)

(vi) $VODF$ is the number of villages that achieve ODF status as verified by IVA in Approved RVR (DLR 5.1 and DLR 12.1)

(vii) $VCWS$ is the number of villages certified as achieving CWS status as verified by IVA in Approved RVR (DLR 5.2 and DLR 12.2)

(viii) $VSWS$ is the number of villages that sustain CWS status as verified by IVA in Approved RVR (DLR 5.3 and DLR 12.3)

(ix) $R1$ is the exchange rate of Euro Foreign Currency to Kenya Shillings and $R2$ be the exchange rate of Special Drawing Rights (SDR) Currency to Kenya Shillings

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Mumma): Division will be at the end.

Clauses 6,7 and 8

(Question, that clauses 6,7 and 8 be part of the Bill, proposed)

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The Temporary Chairperson (Sen. Mumma): Division will be at the end.

New Clause 9

Sen. Ali Roba: Madam Temporary Chairperson, I beg to move- THAT the Bill be amended by inserting the following new clauses immediately after clause 8—

Financial misconduct.	9. Despite the provisions of any other law, a serious or persistent non-compliance with the provisions of this Act constitutes an offence under the Public Finance Management Act.
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(Question, that New Clause 9 be now read a second time proposed)

The Temporary Chairperson (Sen. Mumma): Division will be at the end.

New Clause 10

Sen. Ali Roba: Madam Temporary Chairperson, I beg to move- Exemption. 10. The requirements under sections 191A, 191B, 191C, 191D and 191E of the Public Finance Management Act shall not apply with respect to conditional allocations under this Act in the financial year 2026/2027.

Cap. 412A.

(Question, that New Clause 10 be now read a second time proposed)

The First Schedule

Sen. Ali Roba: Madam Temporary Chairperson, I beg to move- THAT the Bill be amended by deleting the First Schedule and substituting therefor the following New Schedule-

First Schedule (s. 5)

Unconditional Allocations to County Governments from Court Fines and 20% Share of Mineral Royalties in the Financial Year 2026/27 (Ksh.)		
County	FY 2025/26	FY 2026/27

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N		Total unconditional Additional Allocations to County Governments	Allocations for Court Fines	Allocations for 20% Share of Mineral Royalties	Total Unconditional Allocations
		Column A	Column B	Column C	Column D
1.	Baringo	20,355	-	525,351	525,351
2.	Bomet	-	49,000	-	49,000
3.	Bungoma	-	35,000	-	35,000
4.	Busia	-	5,000	-	5,000
5.	Elgeyo/Marakwet	-	-	-	-
6.	Embu	2,142	3,000	1,190,391	1,193,391
7.	Garissa	844,692	-	472,147	472,147
8.	Homa Bay	-	-	-	-
9.	Isiolo	348,837	-	12,231	12,231
10.	Kajiado	660,242,991	183,000	310,444	310,444
	Kakamega	16,555	8,000	58	8,058
12.	Kericho	-	10,782,328	1,293,209	12,075,537
13.	Kiambu	14,244,964	2,444,183	23,906,202	26,350,385
14.	Kilifi	950,062,290	337,549	240,807,157	241,144,706
15.	Kirinyaga	100	-	1	1
16.	Kisii	682,562	-	1,560,790	1,560,790
17.	Kisumu	93,000	399,412	97,981,739	98,381,151
18.	Kitui	435,841	100,000	2,249,027	2,349,027
19.	Kwale	1,166,507,886	1,500	804,286,608	804,288,108
20.	Laikipia	27,334	1,957,621	-	1,957,621
21.	Lamu	-	-	-	-

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Unconditional Allocations to County Governments from Court Fines and 20% Share of Mineral Royalties in the Financial Year 2026/27 (Ksh.)					
N	County	FY 2025/26	FY 2026/27		
		Total unconditional Additional Allocations to County Governments	Allocations for Court Fines	Allocations for 20% Share of Mineral Royalties	Total Unconditional Allocations
		Column A	Column B	Column C	Column D
22.	Machakos	1,782,463	19,172,758	28,102,174	47,274,932
23.	Makueni	99,857	6,000	33,463	39,463
24.	Mandera	1,028	-	-	-
25.	Marsabit	1,724,590	-	2,169,705	2,169,705
26.	Meru	32,901	19,000	-	19,000
27.	Migori	3,684,754	1,366,803	33,228,843	34,595,646
28.	Mombasa	1,417,254	14,239,770	10,506,292	24,746,062
29.	Murang'a	-	7,000	264,782	271,782
30.	Nairobi	2,458,591	72,876,979	12,495,305	85,372,284
31.	Nakuru	1,105,667	2,709,201	5,434,451	8,143,652
32.	Nandi	55,110,901	5,465,792	121,480,248	126,946,040
33.	Narok	27,206,336	4,000	4,050,802	4,054,802
34.	Nyamira	-	141,143	-	141,143
35.	Nyandarua	-	-	-	-
36.	Nyeri	76,000	283,500	-	283,500
37.	Samburu	905,744	-	375,689	375,689
38.	Siaya	259,152	128,000	-	128,000
39.	Taita Taveta	51,756,326	1,608,239	21,728,740	23,336,979
40.	Tana River	10,624	-	326,033	326,033
41.	Tharaka Nithi	43,000	-	29,426	29,426

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Unconditional Allocations to County Governments from Court Fines and 20% Share of Mineral Royalties in the Financial Year 2026/27 (Ksh.)					
N	County	FY 2025/26	FY 2026/27		
		Total unconditional Additional Allocations to County Governments	Allocations for Court Fines	Allocations for 20% Share of Mineral Royalties	Total Unconditional Allocations
		Column A	Column B	Column C	Column D
42.	Trans Nzoia	-	-	-	-
43.	Turkana	141,279	25,000	4,710	29,710
44.	Uasin Gishu	5,090,269	13,900,592	4,504,505	18,405,097
45.	Vihiga	-	-	-	-
46.	Wajir	4,493	-	-	-
77	West Pokot	1,650	-	103,847,148	103,847,148
	Total	2,946,442,428	148,259,370	1,833,128,821	1,981,388,191

(Question of the amendment proposed)

The Temporary Chairperson (Sen. Mumma): Division will be at the end.

Second Schedule

Sen. Ali Roba: Madam Temporary Chairperson, I beg to move –

THAT the Bill be amended by deleting the Second Schedule and substituting therefor the following New Schedule-

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SECOND SCHEDULE (S.5(2))

Conditional Additional Allocations to County Governments from the National Government's Share of Revenue for the Financial Year 2026/27 (Kenya Shillings)

N	County	FY 2025/26	FY 2026/27						
		Total Conditional Additional Allocations	Community Health Promoters (CHP)	Supplement for the Construction of County Headquarters	County Aggregation and Industrial Parks (CAIP)	0.5% of the Housing Levy Fund to the County Rural and Urban Affordable Housing Committees	Transition of Universal Health Coverage (UHC) Workers' Salary to Permanent and Pensionable Terms	*Settlement of the Arbitral award of Meru County Government	Total Conditional Additional Allocations
		Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H
	Baringo	335,060,940	63,810,000	-	-	7,787,057	230,098,965		301,696,022
	Bomet	97,319,315	74,070,000	-	250,000,000	7,787,057	181,663,203		513,520,260
	Bungoma	149,241,681	107,400,000	-	-	7,787,057	257,866,990		373,054,047
	Busia	92,069,249	66,390,000	-	-	7,787,057	175,038,676		249,215,733
	Elgeyo/Marakwet	54,872,639	37,200,000	-	250,000,000	7,787,057	283,485,809		578,472,866
	Embu	95,088,853	60,300,000	-	-	7,787,057	241,766,294		309,853,351
	Garissa	109,488,961	74,520,000	-	-	7,787,057	176,321,364		258,628,421
	Homa Bay	117,026,873	88,620,000	-	-	7,787,057	195,759,831		292,166,888
	Isiolo	94,765,505	21,630,000	158,780,000	250,000,000	7,787,057	202,028,087		640,225,144
	Kajiado	345,552,740	50,070,000	-	-	7,787,057	157,832,557		215,689,614

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Conditional Additional Allocations to County Governments from the National Government's Share of Revenue for the Financial Year 2026/27 (Kenya Shillings)									
N	County	FY 2025/26	FY 2026/27						
		Total Conditional Additional Allocations	Commu nity Health Promoters (CHP)	Supple ment for the Construction of County Headquarters	County Aggregation and Industrial Parks (CAIP)	0.5% of the Housing Levy Fund to the County Rural and Urban Affordable Housing Committees	Transiti on of Universal Health Coverage (UHC) Workers' Salary to Permanent and Pensionable Terms	*Settlement of the Arbitral award of Meru County Government	Total Conditional Additional Allocations
		Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H
	Kakamega	224,017,599	127,500,000	-	-	7,787,057	248,171,190		383,458,247
	Kericho	341,117,478	45,690,000	-	-	7,787,057	175,449,213		228,926,270
	Kiambu	349,993,245	94,680,000	-	-	7,787,057	176,778,237		279,245,294
	Kilifi	426,369,365	116,100,000	-	-	7,787,057	149,484,014		273,371,071
	Kirinyaga	58,037,438	36,660,000	-	-	7,787,057	127,156,353		171,603,410
	Kisii	290,510,642	88,200,000	-	-	7,787,057	241,470,770		337,457,827
	Kisumu	167,327,249	89,940,000	-	250,000,000	7,787,057	209,165,589		556,892,646
	Kitui	369,844,316	74,100,000	-	-	7,787,057	155,013,571		236,900,628
	Kwale	158,163,903	52,140,000	-	-	7,787,057	140,392,709		200,319,766

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Conditional Additional Allocations to County Governments from the National Government's Share of Revenue for the Financial Year 2026/27 (Kenya Shillings)									
N	County	FY 2025/26	FY 2026/27						
		Total Conditional Additional Allocations	Commu nity Health Promoters (CHP)	Supple ment for the Construction of County Headquarters	County Aggregation and Industrial Parks (CAIP)	0.5% of the Housing Levy Fund to the County Rural and Urban Affordable Housing Committees	Transiti on of Universal Health Coverage (UHC) Workers' Salary to Permanent and Pensionable Terms	*Settlement of the Arbitral award of Meru County Government	Total Conditional Additional Allocations
		Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H
	Laikipia	317,672,596	25,230,000	-	-	7,787,057	137,027,403		170,044,460
	Lamu	147,809,452	14,520,000	71,630,000	250,000,000	7,787,057	123,884,423		467,821,480
	Machakos	143,883,915	83,250,000	-	-	7,787,057	184,687,439		275,724,496
	Makueni	146,255,895	113,700,000	-	250,000,000	7,787,057	234,431,783		605,918,840
	Mandera	40,336,781	18,540,000	-	250,000,000	7,787,057	189,439,407		465,766,464
	Marsabit	327,106,385	60,090,000	-	-	7,787,057	150,152,412		218,029,469
	Meru	157,383,407	111,480,000	-	-	7,787,057	268,012,029	480,751,390	868,030,476
	Migori	118,055,437	88,380,000	-	-	7,787,057	217,582,697		313,749,754
	Mombasa	315,937,957	71,610,000	-	-	7,787,057	102,189,294		181,586,351
	Murang'a	238,399,654	46,050,000	-	-	7,787,057	226,860,114		280,697,171
	Nairobi	338,266,271	224,010,000	-	250,000,000	7,787,057	108,359,849		590,156,906
	Nakuru	325,150,304	99,390,000	-	-	7,787,057	192,094,957		299,272,014

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Conditional Additional Allocations to County Governments from the National Government's Share of Revenue for the Financial Year 2026/27 (Kenya Shillings)									
N	County	FY 2025/26	FY 2026/27						
		Total Conditional Additional Allocations	Community Health Promoters (CHP)	Supplement for the Construction of County Headquarters	County Aggregation and Industrial Parks (CAIP)	0.5% of the Housing Levy Fund to the County Rural and Urban Affordable Housing Committees	Transition of Universal Health Coverage (UHC) Workers' Salary to Permanent and Pensionable Terms	*Settlement of the Arbitral award of Meru County Government	Total Conditional Additional Allocations
		Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H
				-	-				
	Turkana	101,224,140	74,250,000		250,000,000	7,787,057	183,768,207		515,805,264
	Uasin Gishu	73,568,093	61,980,000	-	-	7,787,057	222,435,917		292,202,974
	Vihiga	310,411,734	43,380,000	-	-	7,787,057	141,113,672		192,280,729
	Wajir	210,562,165	60,810,000	-	-	7,787,057	126,334,465		194,931,522
	West Pokot	93,411,216	77,490,000	-	250,000,000	7,787,057	187,944,864		523,221,921
	TOTAL	9,984,449,991	3,234,930,000	523,010,000	3,250,000,000	365,991,679	8,605,844,135	480,751,390	16,460,527,204

*The arbitral award under Column G in accordance with the ruling dated 6th May, 2026, in Leopard Rock Mico Limited vs County Government of Meru (Miscellaneous Application No. 1 of 2020 as consolidated with Miscellaneous Application No. 23 of 2020)

(Question of the amendment proposed)

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The Temporary Chairperson (Sen. Mumma): Division will be at the end.

The Third Schedule

Sen. Ali Roba: Madam Temporary Chairperson, I beg to move –
 THAT the Bill be amended by deleting the Third Schedule and substituting therefor the following new schedule-

THIRD SCHEDULE (S.5(3))

Conditional Additional Allocations from Proceeds of Loans or Grants from Development Partners for Financial Year 2026/27 (Kenya Shillings)

N	County	FY 2025/26	FY 2026/27																	
			Total Loans and Grants for FY 2025/26	French Development Agency (AID) Credit for the Kenya Informal Settlements Improvement Project Phase Two (KISIP II)	IDA (World Bank) Credit/Grant Building Resilient & Responsive Health Systems – BREHS	KfW (German Financial Cooperation) Credit Co-Financing of Locally-Led Climate Action Program, (FLLoCA)/CCRIG	IDA (World Bank) Credit (Financing Locally-Led Climate Action Program, FLLoCA)/CCRIG	IDA (World Bank) Credit for the Food Systems Resilience Project (FSRP)	IDA World Bank Credit for the National Agricultural Value Chain Development Project (NAVCDDP)	IDA (World Bank) Credit for the Water & Sanitation Development Project (WSDP)	IDA (World Bank) Credit for the Kenya Urban Support Project(KUSP)-Urban Institutional Grant (UIG)	IDA (World Bank) Credit for the Kenya Urban Support Project (KUSP)- Urban Development Grant (UDG)	International Fund for Agricultural Development (IFAD) Credit for Kenya Livestock Commercialization Project (KeLCoP)	KfW (German Development Bank) Credit and Grant for Drought Resilience Programme in Northern Kenya (DRPNK)	Integrated Natural Resources Management Programme-(INReMP) IFAD	IDA (World Bank) Credit for the Kenya Devolution Support Program Phase Two (KDSP II)-Level 1 Grant	IDA (World Bank) loan for the Kenya Devolution Support Program Phase Two (KDSP II)-Level 2 Grant	IDA (World Bank) Credit for the Kenya Water, Sanitation and Hygiene (K-WASH) Programme	IDA (World Bank) Kenya Watershed Services Improvement Project(KEWASIP)	Total Loans and Grants for FY 2026/27
			Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M	Column N	Column O	Column P	Column Q	Column R
1	Baringo	392,624,346	-	26,775,088	-	-	298,614,890	-	-	-	-	-	40,150,000	-	-	-	-	-	150,000,000	515,539,979
2	Bomet	313,033,500	-	28,936,099	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	-	133,936,099
4	Busia	387,846,901	-	29,575,640	-	-	-	105,000,000	-	-	-	-	33,500,000	-	-	-	-	-	-	168,075,640
5	Elgeyo Marakwet	548,635,346	-	21,212,458	-	-	276,625,582	-	-	-	-	-	40,150,000	-	81,244,200	-	-	-	-	419,232,240
6	Embu	321,116,426	-	22,493,595	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	-	127,493,595

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Conditional Additional Allocations from Proceeds of Loans or Grants from Development Partners for Financial Year 2026/27 (Kenya Shillings)																			
N	County	FY 2025/26	FY 2026/27																
		Total Loans and Grants for FY 2025/26	French Development Agency (AID) Credit for the Kenya Informal Settlements Improvement Project Phase Two (KISIP II)	IDA (World Bank) Credit/Grant Building Resilient & Responsive Health Systems – BREHS	KfW (German Financial Cooperation) Credit Co-Financing of Locally-Led Climate Action Program, (FLLoCA) CCRIG	IDA (World Bank) Credit Climate Action Financing Locally-Led Climate Action Program, (FLLoCA) CCRIG	IDA (World Bank) Credit for the Food Systems Resilience Project (FSRP)	IDA World Bank Credit for the National Agricultural Value Chain Development Project (NAVCDDP)	IDA (World Bank) Credit for the Water & Sanitation Development Project (WSDP)	IDA (World Bank) Credit for the Kenya Urban Support Project (KUSP)- Urban Institutional Grant (UIG)	IDA (World Bank) Credit for the Kenya Urban Support Project (KUSP)- Urban Development Grant (UDG)	International Fund for Agricultural Development (IFAD) Credit for Kenya Livestock Commercialization Project (KeLCOP)	KfW (German Development Bank) Credit and Grant for Drought Resilience Programme in Northern Kenya (DRPNK)	Integrated Natural Resources Management Programme-(INReMP) IFAD	IDA (World Bank) Credit for the Kenya Devolution Support Program Phase Two (KDSPII) Level 1 Grant	IDA (World Bank) loan for the Kenya Devolution Support Program Phase Two (KDSPII) Level 2 Grant	IDA (World Bank) Credit for the Kenya Water, Sanitation and Hygiene (K-WASH) Programme	IDA (World Bank) Kenya Watershed Services Improvement Project (KEWASIP)	Total Loans and Grants for FY 2026/27
		Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M	Column N	Column O	Column P	Column Q	Column R
7	Garissa	480,385,346	-	292,451,019	-	-	329,821,407	-	100,000,000	-	-	-	-	-	-	-	-	150,000,000	872,272,426
8	Homa Bay	333,889,051	-	80,209,635	-	-	-	105,000,000	-	-	-	-	-	81,244,200	-	-	-	-	266,453,835
9	Isiolo	325,897,346	-	22,514,039	-	-	276,396,763	-	-	-	-	-	-	-	-	-	-	150,000,000	448,910,802
10	Kajiado	388,118,499	-	36,782,416	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	141,782,416
1	Kakamega	421,482,877	-	46,499,957	-	-	-	105,000,000	-	-	-	33,500,000	-	81,244,200	-	-	-	-	266,244,157
2	Kericho	312,829,500	-	29,480,180	-	-	-	105,000,000	-	-	-	-	-	81,244,200	-	-	-	-	215,724,380
3	Kiambu	726,239,859	-	52,110,399	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	157,110,399
4	Kilifi	1,491,989,500	-	108,421,946	-	-	-	105,000,000	200,000,000	-	-	-	-	-	-	-	-	-	413,421,946
5	Kirinyaga	322,276,880	-	22,148,322	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	127,148,322
6	Kisii	332,252,979	-	34,414,696	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	139,414,696
7	Kisumu	457,791,983	-	33,263,643	-	-	-	105,000,000	-	-	-	-	-	81,244,200	-	-	-	-	219,507,843

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Conditional Additional Allocations from Proceeds of Loans or Grants from Development Partners for Financial Year 2026/27 (Kenya Shillings)																			
N	County	FY 2025/26	FY 2026/27																
		Total Loans and Grants for FY 2025/26	French Development Agency (AID) Credit for the Kenya Informal Settlements Improvement Project Phase Two (KISIP II)	IDA (World Bank) Credit/Grant Building Resilient & Responsive Health Systems – BREHS	KfW (German Financial Cooperation) Credit Co-Financing of Locally-Led Climate Action Program, (FLLoCA) CCRIG	IDA (World Bank) Credit Climate Action Financing Locally-Led Climate Action Program, (FLLoCA) CCRIG	IDA (World Bank) Credit for the Food Systems Resilience Project (FSRP)	IDA World Bank Credit for the National Agricultural Value Chain Development Project (NAVCDP)	IDA (World Bank) Credit for the Water & Sanitation Development Project (WSDP)	IDA (World Bank) Credit for the Kenya Urban Support Project (KUSP)- Urban Institutional Grant (UIG)	IDA (World Bank) Credit for the Kenya Urban Support Project (KUSP)- Urban Development Grant (UDG)	International Fund for Agricultural Development (IFAD) Credit for Kenya Livestock Commercialization Project (KeLCOP)	KfW (German Development Bank) Credit and Grant for Drought Resilience Programme in Northern Kenya (DRPNK)	Integrated Natural Resources Management Programme-(INReMP) IFAD	IDA (World Bank) Credit for the Kenya Devolution Support Program Phase Two (KDSIP II) Level 1 Grant	IDA (World Bank) loan for the Kenya Devolution Support Program Phase Two (KDSIP II) Level 2 Grant	IDA (World Bank) Credit for the Kenya Water, Sanitation and Hygiene (K-WASH) Programme	IDA (World Bank) Kenya Watershed Services Improvement Project (KEWASIP)	Total Loans and Grants for FY 2026/27
		Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M	Column N	Column O	Column P	Column Q	Column R
8	Kitui	318,388,500	-	41,383,118	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	150,000,000	296,383,118
9	Kwale	786,705,500	-	76,367,213	-	-	-	105,000,000	150,000,000	-	-	-	-	-	-	-	-	150,000,000	481,367,213
10	Laikipia	325,795,346	-	23,129,968	-	-	280,390,789	-	-	-	-	-	-	-	-	-	-	150,000,000	453,520,758
1	Lamu	338,245,346	-	15,505,035	-	-	257,501,062	-	-	-	-	-	-	-	-	-	-	-	273,006,097
2	Machakos	328,333,538	-	38,970,140	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	143,970,140
3	Makueni	316,093,500	-	32,080,226	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	150,000,000	287,080,226
4	Mandera	346,536,346	-	96,779,242	-	-	318,274,393	-	-	-	-	-	-	-	-	-	-	-	415,053,635
5	Marsabit	980,229,554	-	34,055,191	-	-	320,109,840	-	-	-	-	50,150,000	308,000,000	-	-	-	-	150,000,000	862,315,031
6	Meru	345,151,652	-	40,824,984	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	150,000,000	295,824,984
7	Migori	327,862,388	-	33,408,629	-	-	-	105,000,000	-	-	-	-	-	81,244,200	-	-	-	-	219,652,829
8	Mombasa	1,012,282,500	-	32,393,902	-	-	-	70,000,000	100,000,000	-	-	-	-	-	-	-	-	-	202,393,902

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Conditional Additional Allocations from Proceeds of Loans or Grants from Development Partners for Financial Year 2026/27 (Kenya Shillings)																				
N	County	FY 2025/26	FY 2026/27																	
		Total Loans and Grants for FY 2025/26	French Development Agency (AID) Credit for the Kenya Informal Settlements Improvement Project Phase Two (KISIP II)	IDA (World Bank) Credit/Grant Building Resilient & Responsive Health Systems – BREHS	KfW (German Financial Cooperation) Credit Co-Financing of Locally-Led Climate Action Program, (FLLoCA) CCRIG	IDA (World Bank) Credit Climate Action Financing Locally-Led Climate Action Program, (FLLoCA) CCRIG	IDA (World Bank) Credit for the Food Systems Resilience Project (FSRP)	IDA World Bank Credit for the National Agricultural Value Chain Development Project (NAVCDDP)	IDA (World Bank) Credit for the Water & Sanitation Development Project (WSDP)	IDA (World Bank) Credit for the Kenya Urban Support Project (KUSP)- Urban Institutional Grant (UIG)	IDA (World Bank) Credit for the Kenya Urban Support Project (KUSP)- Urban Development Grant (UDG)	International Fund for Agricultural Development (IFAD) Credit for Kenya Livestock Commercialization Project (KeLCOP)	KfW (German Development Bank) Credit and Grant for Drought Resilience Programme in Northern Kenya (DRPNK)	Integrated Natural Resources Management Programme-(INReMP) IFAD	IDA (World Bank) Credit for the Kenya Devolution Support Program Phase Two (KIDSP II) Level 1 Grant	IDA (World Bank) loan for the Kenya Devolution Support Program Phase Two (KIDSP II) Level 2 Grant	IDA (World Bank) Credit for the Kenya Water, Sanitation and Hygiene (K-WASH) Programme	IDA (World Bank) Kenya Watershed Services Improvement Project (KEWASIP)	Total Loans and Grants for FY 2026/27	
		Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M	Column N	Column O	Column P	Column Q	Column R	
9	Murang'a	314,308,500	-	30,645,101	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	-	135,645,101
0	Nairobi City	861,562,500	-	82,936,136	-	-	-	70,000,000	-	-	-	-	-	-	-	-	-	-	-	152,936,136
1	Nakuru	647,590,500	-	52,782,016	-	-	-	105,000,000	-	-	-	34,150,000	-	-	-	-	-	-	-	191,932,016
2	Nandi	313,778,500	-	28,509,384	-	-	-	105,000,000	-	-	-	-	-	81,244,200	-	-	-	-	-	214,753,584
3	Narok	317,113,500	-	89,031,159	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	-	194,031,159
4	Nyamira	328,911,500	-	22,888,817	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	-	127,888,817
5	Nyandaru	372,013,500	-	23,739,840	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	-	128,739,840
6	Nyeri	381,649,867	-	25,282,556	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	-	130,282,556
7	Samburu	396,759,346	-	22,908,606	-	-	278,702,416	-	-	-	-	46,630,000	-	-	-	-	-	-	150,000,000	498,241,022
8	Siaya	398,012,102	-	30,337,551	-	-	-	105,000,000	-	-	-	33,500,000	-	-	-	-	-	-	-	168,837,551
9	Taita Taveta	820,993,500	-	21,607,351	-	-	-	105,000,000	100,000,000	-	-	-	-	-	-	-	-	-	-	226,607,351

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Conditional Additional Allocations from Proceeds of Loans or Grants from Development Partners for Financial Year 2026/27 (Kenya Shillings)																			
N	County	FY 2025/26	FY 2026/27																
		Total Loans and Grants for FY 2025/26	French Development Agency (AID) Credit for the Kenya Informal Settlements Improvement Project Phase Two (KISIP II)	IDA (World Bank) Credit/Grant Building Resilient & Responsive Health Systems – BREHS	KfW (German Financial Cooperation) Credit Co-Financing of Locally-Led Climate Action Program, (FLLoCA) CCRIG	IDA (World Bank) Credit Climate Action Financing Locally-Led Climate Action Program, (FLLoCA) CCRIG	IDA (World Bank) Credit for the Food Systems Resilience Project (FSRP)	IDA World Bank Credit for the National Agricultural Value Chain Development Project (NAVCDP)	IDA (World Bank) Credit for the Water & Sanitation Development Project (WSDP)	IDA (World Bank) Credit for the Kenya Urban Support Project (KUSP)- Urban Institutional Grant (UIG)	IDA (World Bank) Credit for the Kenya Urban Support Project (KUSP)- Urban Development Grant (UDG)	International Fund for Agricultural Development (IFAD) Credit for Kenya Livestock Commercialization Project (KeLCOP)	KfW (German Development Bank) Credit and Grant for Drought Resilience Programme in Northern Kenya (DRPNK)	Integrated Natural Resources Management Programme-(INReMP) IFAD	IDA (World Bank) Credit for the Kenya Devolution Support Program Phase Two (KDSP II) Level 1 Grant	IDA (World Bank) loan for the Kenya Devolution Support Program Phase Two (KDSP II) Level 2 Grant	IDA (World Bank) Credit for the Kenya Water, Sanitation and Hygiene (K-WASH) Programme	IDA (World Bank) Kenya Watershed Services Improvement Project (KEWASIP)	Total Loans and Grants for FY 2026/27
		Column A	Column B	Column C	Column D	Column E	Column F	Column G	Column H	Column I	Column J	Column K	Column L	Column M	Column N	Column O	Column P	Column Q	Column R
0	Tana River	328,498,346	-	67,011,495	-	-	288,659,120	-	-	-	-	-	-	-	-	-	-	150,000,000	505,670,614
1	Tharaka Nithi	321,973,499	-	19,227,702	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	150,000,000	274,227,702
2	Trans Nzoia	376,991,500	-	30,177,793	-	-	-	105,000,000	-	-	-	33,500,000	-	81,244,200	-	-	-	-	249,921,993
3	Turkana	1,032,698,346	-	307,943,331	-	-	352,146,212	-	-	-	-	-	545,600,000	-	-	-	-	-	1,205,689,543
4	Uasin Gishu	574,359,500	-	33,793,871	-	-	-	105,000,000	-	-	-	-	-	81,244,200	-	-	-	-	220,038,071
5	Vihiga	311,656,500	-	23,048,420	-	-	-	105,000,000	-	-	-	-	-	-	-	-	-	-	128,048,420
6	Wajir	946,833,346	-	101,889,934	-	-	334,442,979	-	200,000,000	-	-	-	-	-	-	-	-	-	636,332,913
7	West Pokot	327,121,346	-	66,158,073	-	-	288,314,546	-	-	-	-	-	-	81,244,200	-	-	-	-	435,716,819
	TOTAL	57,735,435,467	400,000,000	2,476,800,100	1,200,000,000	6,187,500,000	3,900,000,000	3,500,000,000	850,000,000	954,734,992	16,703,171,420	378,730,000	853,600,000	812,442,000	1,762,500,000	7,755,000,000	4,282,086,900	1,800,000,000	53,816,565,412

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* IDA-FLLoCA -CCRI, KUSP-UIG, KUSP-UDG, KDSP Level 1& 2, and K-WASH grants are to be allocated among county governments on the basis of the criteria set out in Section 5(2)(b) (f) (k) (m) (r),(t) and (v) of the County Government Additional Allocations Act, 2026 respectively.

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(Question of the amendment proposed)

The Temporary Chairperson (Sen. Mumma): Division will be at the end.

Clause 2, the Title and Clause 1

(Question that Clause 2, the Title and Clause 1 be part of the Bill, proposed)

Division will be at the end.

Hon. Senators, we will retake Clause 4

Clause 4

Sen. Ali Roba: Madam Chairperson, I beg to move-
THAT, Clause 4 of the Bill be amended by deleting subclause (3).

(Question of the amendment proposed)

Division will be at the end.

COMMITTEE OF THE WHOLE

THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO.10 OF 2026)

The Temporary Chairperson (Sen. Mumma): Hon. Senators, we are now moving to the Committee of the Whole for the County Allocation of Revenue Bill (Senate Bills No.10 of 2026)

Clauses 3, 4, 5, 6, 7, 8, 9 and 10

(Clauses 3, 4, 5, 6, 7, 8, 9 and 10 be part of the Bill, proposed)

The Temporary Chairperson (Sen. Mumma): Division will be at the end.

The First Schedule

Sen. Ali Roba: Madam Temporary Chairperson, I beg to move-
THAT the Bill be amended by deleting the First Schedule and substituting therefor the following new Schedule-

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FIRST SCHEDULE (s. 4)**Allocation of Each County Government's Equitable Share of Revenue Raised Nationally in the FY 2026/27.**

County	Y 2025/26 total Equitable Share	FY 2026/27							
		*Baseline Allocation of Ksh.387.425 billion	Allo cation Ratio	E quitable share	**Af firmative Allocation of Ksh.4.46 billion	***Additional equitable share above Ksh.391.885 billion (Ksh.36.115 billion)	Total Equitable Share		
		B	C	D	E	F	G=C+D+F		
Baringo	7,083,683,384	1.72520	683,873,223	6,		1.72966	624,665,541	7,308,538,764	
Bomet	7,447,200,499	1.81070	015,121,755	7,		1.86926	675,082,148	7,690,203,903	
Bungoma	11,838,054,666	2.88331	,170,673,599	11		2.88722	1,042,719,759	12,213,393,358	
Busia	7,956,564,058	1.93971	514,935,582	7,		1.91057	690,002,699	8,204,938,281	
Elgeyo/Marakwet	5,515,146,712	1.24585	826,732,019	4,	666,667	371,	1.37031	494,888,815	5,693,287,501
Embu	6,077,441,672	1.38605	369,896,832	5,	666,667	371,	1.45307	524,777,860	6,266,341,359
Garissa	8,877,784,676	2.13988	290,447,365	8,			2.54094	917,658,965	9,208,106,330
Homa Bay	8,646,376,063	2.10887	8,170,280,800				2.05968	743,853,792	8,914,134,592
siolo	5,631,357,298	1.27083	923,507,187	4,	666,667	371,	1.45440	525,254,817	5,820,428,671
Kajiado	8,894,254,886	2.15397	8,345,013,610				2.37612	858,137,516	9,203,151,126
Kakamega	13,674,848,566	3.35046	,980,503,320	12			3.00387	1,084,848,738	14,065,352,058
Kericho	7,178,668,356	1.73930	738,465,302	6,			1.90440	687,775,612	7,426,240,914
Kiambu	13,071,817,986	3.17318	,293,696,674	12			3.36630	1,215,740,912	13,509,437,586
Kilifi	12,813,396,	3.14121	,169,843,476	12			2.78414	1,005,491,119	13,175,334,595

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County	Y 2025/26	FY 2026/27						
	otal Equitable Share	*Baseline Allocation of Ksh.387.425 billion		firmative Allocation of Ksh.4.46 billion	**Af Action of	***Additional equitable share above Ksh.391.885 billion (Ksh.36.115 billion)		Total Equitable Share
		Allo cation Ratio	E quitable share			Allocation Index	Share Equitable	
	B	C	D	E	F	G=C+D+F		
	770							
Kirinyaga	6,151,661,892	1.40654	449,272,719	5,666,667	371,	1.43077	516,722,618	6,337,662,004
Kisii	9,819,721,768	2.40197	305,835,688	9,		2.22317	802,898,369	10,108,734,057
Kisumu	8,902,026,938	2.16954	8,405,328,573	10		2.14881	776,044,190	9,181,372,763
Kitui	11,503,907,837	2.80983	,885,968,099	8,		2.67333	965,472,361	11,851,440,460
Kwale	9,078,699,643	2.22634	625,411,603	5,		1.96101	708,219,665	9,333,631,268
Laikipia	6,104,082,008	1.39047	387,034,732	371,666,667	371,	1.49418	539,624,517	6,298,325,916
Lamu	3,857,621,205	0.84002	3,254,430,723	666,667	371,	1.00162	361,734,051	3,987,831,441
Machakos	10,179,132,681	2.47718	597,223,940	9,		2.51745	909,177,338	10,506,401,278
Makueni	8,976,335,654	2.19328	497,308,272	8,		2.07237	748,434,951	9,245,743,223
Mandera	12,265,064,993	3.01752	,690,618,560	11		2.48517	897,518,189	12,588,136,749
Marsabit	8,105,669,078	1.96093	597,151,194	7,		2.19995	794,511,071	8,391,662,265
Meru	10,553,946,059	2.56678	944,340,480	9,		2.63727	952,451,026	10,896,791,506
Migori	8,883,939,719	2.16431	385,076,399	8,		2.15818	779,426,728	9,164,503,127
Mombasa	8,383,385,281	2.03902	899,674,038	7,		2.09263	755,753,041	8,655,427,079
Murang'a	7,969,464,876	1.93892	511,867,031	7,		1.97966	714,953,328	8,226,820,359

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County	Y 2025/26 otal Equitable Share	FY 2026/27						Total Equitable Share
		*Baseline Allocation of Ksh.387.425 billion		**Af firmative Allocation of Ksh.4.46 billion	***Additional equitable share above Ksh.391.885 billion (Ksh.36.115 billion)		G=C+D+F	
		Allo cation Ratio	E quitable share		Allocation Index	Share Equitable		
		B	C	D	E	F		
Nairobi City	21,417,128,397	5.20842	,178,711,957	20	5.35763	1,934,908,489	22,113,620,446	
Nakuru	14,455,147,658	3.52765	,666,997,646	13	3.40969	1,231,409,806	14,898,407,452	
Nandi	7,771,778,066	1.89613	346,071,107	7,	1.84169	665,126,837	8,011,197,944	
Narok	9,770,317,146	2.38546	241,860,519	9,	2.28621	825,663,468	10,067,523,987	
Nyamira	6,073,434,356	1.38349	359,987,994	5, 666,667	371, 1.47861	533,998,429	6,265,653,089	
Nyandarua	6,662,675,631	1.53230	936,521,652	5, 666,667	371, 1.53358	553,852,878	6,862,041,197	
Nyeri	6,896,132,673	1.68255	518,609,255	6,	1.63324	589,844,614	7,108,453,869	
Samburu	6,336,970,364	1.45144	623,228,509	5, 666,667	371, 1.47988	534,460,109	6,529,355,285	
Siaya	7,754,478,885	1.88462	301,473,431	7,	1.95979	707,778,152	8,009,251,583	
Taita/Taveta	5,760,449,685	1.30764	5,066,138,383	666,667	371, 1.39582	504,101,710	5,941,906,759	
Tana River	7,222,474,730	1.76156	6,824,718,834		1.72077	621,455,945	7,446,174,779	
Tharaka-Nithi	5,058,286,293	1.13558	4,399,508,312	666,667	371, 1.24210	448,584,257	5,219,759,236	
Trans Nzoia	7,991,120,837	1.94631	7,540,500,922		1.94947	704,050,973	8,244,551,895	
Turkana	13,892,577,371	3.41054	,213,283,320	13	2.93876	1,061,332,669	14,274,615,989	
Uasin Gishu	8,977,014,770	2.18685	8,472,398,961		2.18307	788,414,447	9,260,813,408	
Wajir	10,507,580,	2.55606	902,799,041	9,	2.61640	944,914,081	10,847,713,122	

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		FY 2026/27							
County	Y 2025/26	*Baseline Allocation of Ksh.387.425 billion			**Affirmative Action Allocation of Ksh.4.46 billion	***Additional equitable share above Ksh.391.885 billion (Ksh.36.115 billion)		Total Equitable Share	
	otal Equitable Share	Allocation Ratio	Allo	E equitable share		Allocation Index	Share Equitable		
		B	C	D	E	F	G=C+D+F		
	683								
West Pokot	7,002,426,008	1.70607	609,735,714	6,	1.69885	613,541,423	7,223,277,137		
Total	415,000,000,000	100.00000	7,425,000,000	38	0,000,000	4,46	100.00000	36,115,000,000	428,000,000,000

* **The Baseline Allocation Ratio**- This ratio is derived from each county’s allocation for FY 2024/25 totalling to Ksh.387.425 billion.

** **The Affirmative Action Allocation**- Ksh. 4.46 billion has been ring-fenced to cater for the 12 counties that are not favoured by the other parameters. Each of the 12 counties shall each receive an additional amount of Ksh.371.7 million.

*** **Additional Equitable Share above Ksh. 391.885 billion** i.e. (Ksh.36.115 billion)- This allocation ratio shares out the difference of Ksh. 36.115 billion using the parameters of the approved Fourth basis for allocating the Share of National Revenue among the county governments- **[(0.45*Population Index) + (0.35*Equal Share Index) + (0.12*Poverty Index) + (0.08*Geographical Size Index)]**

(Question of the amendment proposed)

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The Second Schedule

Sen. Ali Roba: Madam Temporary Chairperson, I beg to move-
 THAT the Bill be amended by deleting the Second Schedule and substituting
 therefor the following new Schedule-
SECOND SCHEDULE (s.5)

County Government Budget Ceilings for Recurrent Expenditure in FY 2026/27(Figures in Kenya Shillings)					
N	County	County Assemblies		County Executives	
		FY 2025/26	FY 2026/27	FY 2025/26	FY 2026/27
1.	Baringo	847,469,122	847,626,854	496,161,163	528,170,814
2.	Bomet	755,816,719	731,537,286	468,730,626	498,289,418
3.	Bungoma	1,074,221,694	976,506,613	562,059,982	601,422,211
4.	Busia	859,603,045	869,947,142	514,728,802	549,189,312
5.	Elgeyo/Marakwet	682,127,598	684,431,351	445,655,740	472,763,673
6.	Embu	653,997,909	651,091,348	445,585,855	472,693,787
7.	Garissa	1,010,212,868	1,083,206,383	510,888,235	544,919,368
8.	Homa Bay	901,349,007	913,968,214	538,863,664	575,775,034
9.	Isiolo	571,957,767	515,234,218	376,492,992	398,239,140
10.	Kajiado	797,493,878	833,655,216	459,200,063	488,452,144
11.	Kakamega	1,440,150,864	1,410,784,461	631,900,264	678,615,072
12.	Kericho	801,439,308	808,829,560	491,924,215	523,933,866
13.	Kiambu	1,332,680,576	1,325,843,597	642,094,266	688,809,074
14.	Kilifi	871,651,828	867,147,393	528,153,096	562,613,607
15.	Kirinyaga	667,134,062	666,664,869	436,378,706	463,333,283
16.	Kisii	1,051,143,180	1,061,001,255	569,351,784	608,714,014
17.	Kisumu	993,261,872	899,826,065	522,102,171	638,237,442
18.	Kitui	1,025,218,850	1,037,669,946	556,906,939	593,818,310
19.	Kwale	667,152,528	675,305,556	447,387,205	474,495,138
20.	Laikipia	511,501,082	600,630,878	406,459,778	430,810,140
21.	Lamu	502,735,064	479,609,506	373,334,857	395,081,004
22.	Machakos	957,194,136	970,874,933	540,775,483	

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County Government Budget Ceilings for Recurrent Expenditure in FY 2026/27(Figures in Kenya Shillings)					
N	County	County Assemblies		County Executives	
		FY 2025/26	FY 2026/27	FY 2025/26	FY 2026/27
					577,686,853
23.	Makueni	964,631,315	847,824,561	494,768,774	526,778,425
24.	Mandera	917,936,058	974,349,992	511,948,091	543,957,742
25.	Marsabit	741,494,088	859,562,104	458,101,332	490,972,864
26.	Meru	1,033,230,263	1,040,373,863	565,023,558	604,385,788
27.	Migori	936,954,113	1,059,223,492	538,507,125	575,418,495
28.	Mombasa	862,807,953	736,274,590	497,268,190	529,277,841
29.	Murang'a	813,710,947	851,528,548	515,207,988	549,668,499
30.	Nairobi City	1,603,909,510	1,775,901,135	775,756,999	834,726,105
31.	Nakuru	1,121,659,233	1,139,437,714	622,626,699	666,890,648
32.	Nandi	811,140,379	797,267,097	492,132,433	524,142,084
33.	Narok	878,624,509	927,319,735	499,621,001	531,630,652
34.	Nyamira	689,414,409	698,351,387	444,949,706	472,057,639
35.	Nyandarua	758,345,693	785,219,049	469,042,680	498,601,472
36.	Nyeri	760,288,009	763,643,931	492,365,209	524,374,860
37.	Samburu	569,616,860	605,962,163	400,557,424	633,218,705
38.	Siaya	759,893,500	770,412,462	491,970,700	523,980,352
39.	Taita/Taveta	706,797,720	724,468,044	450,325,811	477,433,743
40.	Tana-River	710,218,891	612,807,695	422,272,274	446,775,992
41.	Tharaka-Nithi	508,533,605	513,863,636	404,731,372	429,081,734
42.	Trans Nzoia	664,759,854	663,677,259	474,454,626	504,013,417
43.	Turkana	863,842,883	946,217,760	510,888,235	551,543,287
44.	Uasin Gishu	887,273,308	852,346,325	498,842,007	530,851,658
45.	Vihiga	703,918,304	704,103,951	467,917,374	497,476,165
46.	Wajir	992,853,943	937,865,189	502,524,835	542,527,721
47.	West Pokot	699,024,354	711,194,510	447,670,353	474,778,286
	Total	39,936,392,	40,210,588,835	23,414,610,682	25,250,626,877

Clause 2, the Title and Clause 1

(Question, that Clause 2, the Title and Clause 1 be part of the Bill, proposed)

The Temporary Chairperson (Sen. Mumma): Division will be at the end.

Hon. Senators, we are now going into Division for the two Bills.

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Serjeant-at-Arms, please, ring the Division Bell for five minutes

(The Division Bell was rung)

The Temporary Chairperson (Sen. Mumma): Serjeant-at-Arms, please ring the Division Bell for another five minutes.

(The Division Bell was rung)

Serjeant-at-Arms, you may now draw the Bars.

Hon. Senators, we are going to division on The County Government Additional Allocations Bill (Senate Bills No.8 of 2026).

I wish to caution that if you do not have voting rights, please do not vote. Members, let us settle down. The first division is on new clauses.

*(Question, that New Clauses 9 and 10
be part of the Bill proposed)*

Sen. Madzayo, please, come and vote manually.

(Sen. Madzayo approached the Clerks-at-the-Table)

The Temporary Chairperson (Sen. Mumma): Sen. Joyce Korir.

(Sen. Korir walked to the Dispatch Box and cast her vote)

Hon. Senators, we are moving on to the next vote on clauses with amendments.

(Question, that clauses with amendments be part of the Bill proposed)

You may now vote.

(Electronic Voting in progress)

Who has not voted? Hon. Members, please vote. Sen. Cherarkey and Sen. Joyce Korir, please approach the table.

*(Sen. Cherarkey and Sen. Korir walked to the
Dispatch Box and cast their votes)*

Hon. Senators, we are now moving to the next vote on all clauses.

(Question proposed)

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You may now vote.

(Electronic Voting in progress)

There are two Senators that have not voted. Please, if you have not voted, do so. Senator for Turkana County, have you voted? Sen. Omtatah, please vote.

Hon. Senators, we are now moving to Division on the County Allocation of Revenue Bill (Senate Bills No.10 of 2026). We begin with clauses with amendments.

(Loud consultations)

Sen. Cherarkey, can we focus, please?

(Question proposed)

You may now vote.

(Electronic Voting in progress)

Sen. Korir, please vote.

(Sen. Korir walked to the Dispatch Box and cast her vote)

The Temporary Chairperson (Sen. Mumma): One Senator has not voted. Senate Majority Leader and Sen. Korir, please approach the Clerks-at-the-Table.

(Sen. Cheruiyot and Sen. Korir approached the Clerks-at-the-Table and registered their votes)

Hon. Senators, the final one is on all Clauses.

(Voting in progress)

One Senator has not voted. Sen. Joyce Korir, please approach the Clerks-at-the-Table.

(Sen. Korir approached the Clerks-at-the-Table and registered her vote)

Hon. Senators, we will start with the County Governments Additional Allocations Bill (Senate Bills No.8 of 2026).

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DIVISION**ELECTRONIC VOTING**

(Question, that New Clauses 9 and 10 be now read a Second Time, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Gataya Mo Fire, Tharaka-Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Korir, Bomet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang', Homa Bay County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Oburu, Siaya County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Chairperson (Sen. Mumma): Hon. Senators, the results of the Division are as follows-

AYES: 29

NOES: 0

ABSTENTIONS: 0

The "Ayes" have it.

(Question carried by 29 votes to Nil)

DIVISION**ELECTRONIC VOTING**

(Question, that Clauses 3, 4, 5, First Schedule, Second Schedule and Third Schedule be amended as proposed, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Gataya Mo Fire, Tharaka-Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Korir, Bomet County; Sen. Lomenen, Turkana County; Sen. M.

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Kajwang', Homa Bay County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Oburu, Siaya County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Chairperson (Sen. Mumma): Hon. Senators, the results of the Division are as follows-

AYES: 29

NOES: 0

ABSTENTIONS: 0

The "Ayes" have it.

(Question carried by 29 votes to Nil)

DIVISION

ELECTRONIC VOTING

(Question, that Clauses 3(as amended), Clause 4(as amended), Clause 5(as amended), Clause 6, Clause 7, Clause 8, New Clause 9, New Clause 10, First Schedule (as amended), Second Schedule (as amended) and Third Schedule (as amended), Clause 2, the Title and Clause 1 be part of the Bill, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Gataya Mo Fire, Tharaka-Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Korir, Bomet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang', Homa Bay County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Oburu, Siaya County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Chairperson (Sen. Mumma): Hon. Senators, the results of the Division are as follows-

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AYES: 29

NOES: 0

ABSTENTIONS: 0

The “Ayes” have it.

(Question carried by 29 votes to Nil)

The Temporary Chairperson (Sen. Mumma): Next is the County Allocation of Revenue Bill (Senate Bills No.10 of 2026).

DIVISION

ELECTRONIC VOTING

(Question, that the First Schedule and the Second Schedule be amended as proposed, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang’a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Korir, Bomet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang’, Homa Bay County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Oburu, Siaya County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Chairperson (Sen. Mumma): Hon. Senators, the results of the Division are as follows-

AYES: 29

NOES: 0

ABSTENTIONS: 0

The “Ayes” have it.

(Question carried by 29 votes to Nil)

DIVISION

ELECTRONIC VOTING

(Question, that Clauses 3, 4, 5, 6, 7, 8, 9, 10, the First Schedule (as amended), the Second Schedule (as amended), Clause 2, the Title and Clause 1 be part of the Bill, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chute, Marsabit County; Sen. Dullo, Isiolo County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Joe Nyutu, Murang'a County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo-Marakwet County; Sen. Korir, Bomet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang', Homa Bay County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Oburu, Siaya County; Sen. Okiya Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Chairperson (Sen. Mumma): Hon. Senators, the results of the Division are as follows-

AYES: 29

NOES: 0

ABSTENTIONS: 0

The "Ayes" have it.

(Question carried by 29 votes to Nil)

The Temporary Chairperson (Sen. Mumma): I now call upon the Mover of the County Governments Additional Allocations Bill (Senate Bills No.8 of 2026).

Sen. Ali Roba: Madam Temporary Chairperson, I beg to move that the Committee do report to the Senate its consideration of the County Governments Additional Allocations Bill (Senate Bills No.8 of 2026) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

The Temporary Chairperson (Sen. Mumma): Next is the County Allocation of Revenue Bill (Senate Bills No.10 of 2026).

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Sen. Ali Roba: Madam Temporary Chairperson, I beg to move that the Committee do report to the Senate its consideration of the County Allocation of Revenue Bill (Senate Bills No.10 of 2026) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

Hon. Senators, kindly stay on for a short while because we have another vote to take when the House resumes.

Serjeant-at-Arms, you may withdraw the Bar and open the doors.

(The Bar was withdrawn and the doors opened)

(The House resumed)

[The Deputy Speaker (Sen. Kathuri) in the Chair]

The Deputy Speaker (Sen. Kathuri): Order, Majority Leader. What were you demonstrating?

(Laughter)

REPORTS AND CONSIDERATION OF REPORTS

THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL, (SENATE BILLS NO.8 OF 2026)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, we are now reporting progress on the County Governments Additional Allocations Bill, (Senate Bills No.8 of 2026). Proceed, Chairperson.

Sen. Mumma: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the County Governments Additional Allocations Bill, (Senate Bills No. 8 of 2026), and its approval thereof with amendments.

The Deputy Speaker (Sen. Kathuri): Mover?

Sen. Ali Roba: Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said report. I request Sen. Wambua to second.

Sen. Wambua: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

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Sen. Ali Roba: Mr. Deputy Speaker, Sir, I beg to move that the County Governments Additional Allocations Bill, (Senate Bills No.8 of 2026), be now read a Third Time. I request Sen. Sifuna to second.

Sen. Sifuna: I second.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, when the Chair puts the question for Third Reading, there is a window to contribute. That is why the Chair usually pauses to see whether any Member wishes to contribute. That is from experience.

(Question proposed)

We are now reporting on the County Allocation of Revenue Bill, (Senate Bills No.10 of 2026). Then we can do the two divisions together. Proceed, Chairperson.

THE COUNTY ALLOCATION OF REVENUE BILL
(SENATE BILLS NO.10 OF 2026)

Sen. Mumma: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the County Allocation of Revenue Bill (Senate Bills No.10 of 2026), and its approval thereof with amendments.

Sen. Ali Roba: I beg to move that the House do agree with the Committee in the said report. I request Sen. Madzayo to second.

Sen. Madzayo: I second.

(Question proposed)

(Question put and agreed to)

Sen. Ali Roba: Mr. Deputy Speaker, Sir, I beg to move that the County Allocation of Revenue Bill, (Senate Bills No.10 of 2026), be now read a Third Time. I request Sen. Dullo to second.

Sen. Dullo: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, we are going to the two divisions. If you have the numbers, we can proceed. If not, I will ring the Division Bell for five minutes.

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The Deputy Speaker (Sen. Kathuri): Serjeant-at-Arms, close the doors and roll the Bar.

(The door was closed and the Bar drawn)

The Deputy Speaker (Sen. Kathuri): Let us proceed to the Division. We are ready to vote now.

Proceed and vote including the nominated Senators have been allowed to vote by the principal Senators, for instance, Sen. Korir.

(Voting in progress)

(Hon. Senators held loud consultations)

The Deputy Speaker (Sen. Kathuri): What is happening this afternoon, Sen. Wakoli, Sen. Omtatah and Sen. Joyce?

(Voting in progress)

The Deputy Speaker (Sen. Kathuri): Let us go to the next Division. We are now voting on the County Allocation of Revenue Bills, (Senate Bills No. 10 of 2026).

Proceed and vote.

(Voting in progress)

BILL

THIRD READING

THE COUNTY GOVERNMENTS ADDITIONAL
ALLOCATION BILL (SENATE BILLS NO.8 OF 2026)

*(Question, that the County Government Additional Allocation Bill
(Senate Bills No.8 of 2026) be now read a Third Time, put
and the Senate proceeded to vote by County Delegations)*

DIVISION

ELECTRONIC VOTING

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County;

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Sen. Dullo, Isiolo County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Korir, Bomet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang' Homa Bay County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Oburu, Siaya County; Sen. Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

NOES: Nil.

ABSTENTIONS: Nil

The Deputy Speaker (Sen. Kathuri): Honourable Senators these are results of the division-

AYES: 27

NOES: Nil

ABSTENTIONS: Nil

The Ayes have it.

(Question carried by 27 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

BILL

THIRD READING

THE COUNTY ALLOCATION OF REVENUE
BILL (SENATE BILLS NO.10 OF 2026)

(Question that the County Allocation of Revenue Bill (Senate Bills No.10 of 2026) be now read a Third Time, put and the Senate proceeded to vote by County Delegations)

DIVISION

ELECTRONIC VOTING

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Ali Roba, Mandera County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Haji Abdul, Garissa County; Sen. Kathuri, Meru County; Sen. (Dr.) Khalwale, Kakamega County; Sen. Kisang, Elgeyo Marakwet County; Sen. Korir, Bomet County; Sen. Lomenen, Turkana County; Sen. M. Kajwang Homa Bay County;

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Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mungatana, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. (Dr.) Oburu, Siaya County; Sen. Omtatah, Busia County; Sen. Onyonka, Kisii County; Sen. Osotsi, Vihiga County; Sen. Seki, Kajiado County; Sen. Sifuna, Nairobi City County; Sen. Wafula, Bungoma County; and, Sen. Wambua, Kitui County.

NOES: Nil.

ABSTENTIONS: Nil

The Deputy Speaker (Sen. Kathuri): Honourable Senators these are results of the division-

AYES: 27

NOES: Nil

ABSTENTIONS: Nil

The Ayes have it.

(Question carried by 27 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

Serjeant-At-Arms, open the doors and withdraw the bars.

(The doors were opened and the bars undrawn)

Honourable Senators, you recall we deferred Order No.7 which is Statements. I request the Senators just to read the statements. Unfortunately, there will be no time for comments.

QUESTION AND STATEMENTS

STATEMENTS

STATE OF INFRASTRUCTURE IN VOCATIONAL TRAINING CENTRES IN TANA RIVER COUNTY

Sen. (Dr.) Mungatana, MGH.: Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Education on a matter of countywide concern regarding the state of infrastructure and facilities in Vocational Training Centres (VTCs) in Garsen and Bura constituencies in Tana River County.

The VTCs were established as pillars of hope for the young people of Tana River County. However, these institutions have suffered great neglect and currently face significant challenges that undermine their core mission. There are critical gaps in infrastructure and facilities that prevent these institutions from operating at their full

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potential. Further, the institutions do not have adequate numbers of instructors for the effective delivery and implementation of the curriculum.

In the statement, the committee should address the following-

(1) The current status of infrastructure across the VTCs in Garsen and Bura constituencies in Tana River County, including details on any incomplete construction projects along with an indication of whether the projects are on track or stalled.

(2) The adequacy of the technical equipment and learning tools necessary to ensure appropriate and practical training opportunities for students.

(3) The total budgetary allocations for infrastructural improvement and provision of equipment in the VTCs in the financial years 2022/2023, 2023/2024, 2024/2025 and 2025/2026 together with a breakdown of the actual expenditure recorded for each VTC in the specified years.

(4) Whether the County Government of Tana River has a definitive timebound plan for the completion of all incomplete construction works, procurement of necessary workshop equipment and recruitment of additional qualified instructors up to the required levels, in order to make the VTCs fully functional and if so, obtain details on the same.

It is signed by Sen. (Dr.) Danson Mungatana, Senator, Tana River County.

The Deputy Speaker (Sen. Kathuri): The two statements by Sen. Sifuna are deferred.

STATE OF PROTECTED CONSERVATION AREAS IN THE COUNTRY

(Statement deferred)

STATUS OF NEW KAREN MARKET

(Statement deferred)

We now go statement by Sen. Cherarkey.

UNAVAILABILITY OF TOP-DRESSING FERTILISER AT NCPB DEPOTS

Sen. Cherarkey: Mr. Deputy Speaker, Sir, I rise pursuant to standing Order No.53(1) to seek a statement from the Standing Committee on Agriculture, Livestock and Fisheries on a matter of national concern regarding the shortage of top-dressing fertiliser particularly Calcium Ammonium Nitrate (CAN) at the National Cereals and Produce Board (NCPB) depots across the country during the ongoing 2026 planting season.

Despite assurance by the Ministry of Agriculture and Livestock Development under Government subsidised fertiliser programme, farmers in key producing regions are unable to access fertiliser at a critical stage of crop development, raising concerns about

procurement efficiency, distribution integrity and preparedness in safeguarding national food security.

In the statement, the committee should address the following-

(1) The current stocking levels of top-dressing fertiliser at the NCPB depots nationwide, identifying depots experiencing shortage of stock outs.

(2) The status of procurement and distribution, including total quantities procured versus distributed to date under the Government subsidy programme.

(3) Reasons for the shortage, delays or bottlenecks and whether these stem from supply chain disruptions, funding constraints or inefficiencies in distribution, highlighting the entities, public or private, responsible for importation, clearance, transport and distribution of fertiliser.

(4) Mitigation measures being taken to cushion farmers' particularly in maize growing areas such North Rift - Nandi, Uasin Gishu, Trans Nzoia and Elgeyo Marakwet and Western Kenya and the anticipated impact on the yields.

(5) The immediate steps being taken to replenish affected NCPB depots and the long-terms safeguards, including plans for a national fertiliser buffer stock or emergency response mechanisms to prevent recurrence.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Shakila Abdalla.

ACQUISITION OF LAND BY KDF IN LAMU COUNTY

Sen. Shakila Abdalla: Thank you, Mr. Deputy Speaker, Sir. I rise, pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Lands, Environment and Natural Resources on a matter of countywide concern regarding the acquisition of land by the Kenya Defence Force (KDF) in Kililana and neighbouring villages in Lamu County.

Residents of Kililana and neighbouring villages in Lamu County have for many years cooperated with the Government in the compulsory acquisition and occupation of their ancestral land for various development projects.

The residents have, however, raised concern that not all affected landowners have been compensated and where compensation has been paid, it has not been fair. They have also reported that the concerned Government agencies have taken more than they agreed upon on acreage in some cases. Most recently, the Government, through the KDF, acquired additional land in the villages for the expansion of military-related infrastructure. Residents have raised similar concerns regarding the acquisition and have called for transparency and accountability.

In the statement, the committee should address the following-

(1) The total acreage of land acquired by the Government through the KDF in Kililana and neighbouring villages for the expansion of military facilities, including the construction of an airport at the Magogoni Area in Hindi Ward.

(2) The procedure followed in the acquisition of the land and obtained the relevant gazette notice and valuation reports, among other relevant documentations relating to the acquisition process.

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(3) Whether public participation was conducted before the acquisition and occupation of land and if so, obtain the attendance registers, submitted memoranda, as well as documentation demonstrating how collected public views were considered.

(4) The statement of compensation of the affected individuals, including details on the compensation owed to each person, amount paid so far and the timeline of payment or any pending balances.

(5) The measures taken to address the grievances by residents who contend what they calculated as compensation was unfair and inadequate to restore their livelihoods.

RISE IN INSECURITY IN BUNGOMA COUNTY

Sen. Consolata Wakwabubi: Mr. Deputy Speaker, Sir, thank you for the opportunity.

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on National Security, Defence and Foreign Relations on a matter of county-wide concern regarding the alarming rise in insecurity in Kimilili, Bungoma County.

The situation has been tragically underscored by the recent murder of Mr. Emmanuel Sebastian Oyunge, whose death has shaken the community and heightened fears about safety and protection of lives and property. Mr. Oyunge was found seriously injured and unconscious on the night of Friday, 29th May, 2026, rushed to Kimilili Sub-county Hospital, but later succumbed to his injuries. His family, after searching for him for several days, discovered his body at the hospital morgue on Wednesday, 3rd June, 2026.

The people of Kimilili deserve protection, justice and assurance that their lives and livelihoods are secure. The murder of Mr. Oyunge is not an isolated case, but part of a disturbing pattern of violent crime, robberies and attacks that continue to undermine public confidence in law enforcement. It is imperative that the Government demonstrates accountability and compassion by ensuring justice for victims, tangible support for affected families and long-term measures to restore peace and security in Bungoma County.

In the statement, the committee should address the following-

(1) Circumstances of the murder of Mr. Emmanuel Oyunge, progress of investigations and whether arrests or prosecutions have been made.

(2) Extent of insecurity in Kimilili, with evidentiary data on violent crimes and measures to curb them.

(3) Actions by security agencies to restore law and order, enhance patrols and reassure residents of their safety.

(4) Community engagement and victim support, including strategies to strengthen collaboration between citizens, law enforcement and compensation for the family of Mr. Oyunge alongside broader support mechanisms for those affected by insecurity.

(5) Government plans and policy reforms, including resource allocation, personnel deployment, establishment of poly-care centres countrywide and long-term safeguards to secure Bungoma County.

It is signed by Sen. Consolata Wakwabubi, MP, nominated Senator, 10th June, 2026.

The Deputy Speaker (Sen. Kathuri): Sen. Omtatah, you can read the two statements one after the other.

UNLAWFUL RETENTION OF AGRO CHEMICAL
AND FOOD COMPANY CEO

Sen. Okiya Omtatah: Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order No.53(1), to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries on a matter of countywide concern regarding the unlawful appointment and prolonged tenure of the resident director, Chief Executive Officer (CEO) of Agro Chemical and Food Company (ACFC) Limited in Muhoroni-Kisumu County.

The current resident director and CEO, a citizen of India, took office in October, 2011 and is currently above the mandatory retirement age of 60 years. This constitutes unlawful occupation of office for approximately 15 years against the prescribed maximum tenure of six years.

The prolonged engagement of a non-citizen is contrary to the Public Service Commission's (PSC) regulations and portrays failure of oversight by the ACFC Board, the Ministry of Agriculture and Livestock Development and other institutions in enforcing compliance with the law.

In the statement, the committee should address the following-

(1) The legal basis of the appointment and continued tenure of the resident director and CEO of ACFC.

(2) The extent of compliance with the Constitution, particularly Articles 10, 232 and 234, as well as the relevant statutory and policy frameworks, including the Mwangozo Code of Governance.

(3) Whether due process, including open competitive and merit-based recruitment, was followed in the initial appointment and any subsequent renewals.

(4) The status of compliance with the mandatory retirement age requirements and PSC regulations on expatriate engagement.

(5) The role of the ACFC Board, the Ministry of Agriculture and Livestock Development, the PSC and the Directorate of Immigration Services in permitting or failing to address these violations.

(6) The specific administrative, disciplinary or legal measures that will be taken against responsible officers, institutions and corrective actions to ensure full compliance and prevent future recurrence.

PROPOSED DEVELOPMENT OF PARKING FACILITIES
WITHIN NAIROBI NATIONAL PARK

Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Land, Environment and Natural Resources on a matter of national concern regarding a proposed parking facility and associated developments within or adjacent to Nairobi National Park.

Nairobi National Park is a globally unique conservation area and one of Kenya's most iconic natural assets. As the only national park located within a capital city, it serves as a critical wildlife habitat, a national heritage resource, a major tourism attraction, a climate-regulating ecosystem and a source of ecological services for present and future generations.

Reports indicate that a large-scale parking facility and associated infrastructure are being developed within or in close proximity to Nairobi National Park as part of broader plans linked to facilities surrounding the park. The proposed excision, degradation, fragmentation or alteration of protected habitats within the park and its surrounding ecosystem have far-reaching implications for Kenya's environmental future and the rights of future generations.

In the statement, the committee should address the following-

(1) The exact nature, scope, location, acreage and ownership status of the proposed parking facility and associated infrastructure projects planned within or adjacent to Nairobi National Park.

(2) Whether any portion of the Nairobi National Park has been excised, degazeted, allocated, leased or otherwise made available for the proposed development and if so, provide the relevant legal instruments, approvals, authorisations and justification for the development, including reasons why alternative locations outside the protected ecosystem were not identified and utilised.

(3) Whether an Environmental Impact Assessment (EIA) was conducted in accordance with the Environmental Management and Coordination Act and if so, provide copies of the report, approval conditions, mitigation measures and evidence of compliance with those conditions.

(4) The extent of public participation undertaken before approval of the project, including consultations held with local communities and other relevant stakeholders.

(5) The undisputed environmental, ecological, hydrological, wildlife, tourism and socio-economic impacts of the proposed development, including its effect on wildlife habitats, migratory corridors, biodiversity conservation and ecosystem integrity and the measures put in place by the Government, the Kenya Wildlife Service (KWS), the National Environment Management Authority (NEMA) and other relevant agencies to mitigate such impacts.

(6) The total cost of the project, social financing, implementing agencies, contractors involved, procurement procedures undertaken, current implementation status and the steps being taken to safeguard Nairobi National Park and

its wildlife dispersal areas from progressive encroachment, habitat fragmentation and developments that may undermine the long-term viability of the park as a protected national ecosystem.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Godfrey Osotsi.

IMPACT OF THE PROPOSED SGR PROJECT FROM
MAAI MAHIU TO MALABA ON VIHIGA COUNTY

Sen. Osotsi: Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Roads, Transportation and Housing on a matter of countywide concern regarding the status of the proposed construction of the Standard Gauge Railway (SGR) from Maai Mahiu to Malaba, which is expected to pass through Vihiga County.

The extension of the SGR to Malaba is a major national infrastructure project with a significant implication for transport, trade, land use, settlement patterns, livelihoods and local economic development in the counties through which it will pass.

In Vihiga County particularly, in Luanda Sub-county, residents and stakeholders have raised concerns regarding the proposed route, land acquisition, compensation, public participation and the reported exclusion of Luanda from plans for railway station development.

In the statement, the committee should address the following-

(1) The current status of the construction of the SGR project from Maai Mahiu to Malaba, including the project implementation timelines, funding status, total project costs, financing arrangement, procurement and tendering processes and any contracts or agreement entered into in respect of the project.

(2) The approved route alignment for the railway line through Vihiga County, including the maps or route plans showing the areas, households, institutions, businesses and public facilities likely to be affected within the county.

(3) The land acquisition and compensation framework for the affected residents, including the number of parcels, households likely to be affected in Vihiga County, the evaluation process, the timelines for compensation, dispute resolution mechanism, and measures to ensure prompt, fair and adequate compensation.

(4) Public participation and stakeholder engagement undertaken in Vihiga County indicating the dates, venues, participants, issues raised by the residents and stakeholders and how their concerns raised have been addressed or incorporated into the project design.

(5) The measures put in place to avoid challenges experienced during the implementation of the Mombasa-Nairobi SGR project, including concerns relating to compensation delays, environmental and social impacts, community displacements, procurement transparency, project costs and long-term financial sustainability.

(6) Reasons for the reported exclusion of Luanda from plans for construction of a railway station along the route, despite its existing railway station point and supporting infrastructure and whether the Government will review the station development plan to ensure Vihiga County benefits equitably from the project.

It is signed by Senator Godfrey Osotsi, Linda Mwananchi, Senator Vihiga County, CBS.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, you know you are supposed to read exactly what is in your statement. You do not need to romanticise your name because we know you, Sen. Godfrey Osotsi. When reading your Statement, why should you say you are the one reading yet everybody in the country knows you? Why should you sign and you are the one reading, not on behalf?

Sen. Joe Nyutu, proceed.

DUMPING OF UNTREATED WASTE BY AVOCADO
PROCESSING FACTORIES IN MURANG'A COUNTY

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Land, Environment and Natural Resources on a matter of country-wide concern regarding the indiscriminate dumping of untreated waste by avocado processing factories operating within Kandara and Maragua sub-counties in Murang'a County.

The disposal of large quantities of sludge and waste in open sites near schools, homes, farms and water sources, particularly at Bloom's Wempa, adjacent to Peter Kariuki Primary and Secondary Schools, and at a former quarry near AAA Growers in Maragua Sub-county, poses grave environmental, public health and safety risks to residents, school-going children and surrounding communities.

In the statement, the committee should address the following-

(1) The details of all licenses, approvals, environmental impact assessment EIA reports, waste management plans and compliance certificates issued to the avocado processing companies involved in the generation, transportation and disposal of the solid waste.

(2) Whether the dumping sites near Peter Kariuki Primary and Secondary Schools in Bloom's, Wempa, and the quarry site near AAA Growers in Maragua Sub-county comply with environmental, public health and waste disposal regulations.

(3) Whether any environmental audit, water quality assessment, soil contamination tests or public health inspections have been undertaken at the affected site and provide the findings thereof.

(4) The measures being taken to safeguard the health and welfare of residents, particularly school-going children and other vulnerable members of the community living near the dumping sites.

(5) Whether there have been any investigations into complaints by residents regarding offensive woodworks, increased fly infestation, and reported health concerns associated with the waste disposal activities.

(6) The actions being taken against any company found to have illegally dumped untreated waste or violated environmental and public health laws, including any penalties, remedial orders or restoration measures issued.

(7) The immediate and long-term interventions being undertaken to ensure proper treatment, transportation and disposal of industrial waste generated by avocado processing companies, and to prevent recurrence of similar incidents in Murang'a County.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Last but not least, Sen. Hamida Kibwana, on behalf of Sen. Edwin Sifuna.

STATE OF PROTECTED CONSERVATION AREAS IN THE COUNTRY

Sen. Kibwana: Thank you, Mr. Deputy Speaker, Sir. I will read this statement on behalf of Sen. Edwin Sifuna.

Mr. Deputy Speaker, Sir, I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Land, Environment, and Natural Resources on a matter of national concern regarding the current state of gazetted forests, national parks and other conservation areas in the country.

Kenya's forests and conservation areas are critical to climate resilience, biodiversity protection, water security and the general ecological well-being of the country. However, the continued loss of forest cover through deforestation, excision, and degazetment of protected areas poses a serious threat to environmental sustainability, livelihoods, and the rights of present and future generations.

The matter is further aggravated where protected areas are excised or degazetted to pave way for developments that do not serve conservation purposes, including safe lodges, convention centres and other infrastructure.

In the statement, the committee should address the following-

(1) The current total forest cover in the country compared to the forest cover recorded 10 years ago.

(2) The acreage of gazetted forests, national parks and other protected conservation areas that have been excised, degazetted or converted to other uses in the last three years, including the specific purposes for which the said areas have been used.

(3) The measures put in place by the Ministry of Environment, Climate Change, and Forestry, the Kenya Forest Service (KFS), and other relevant agencies to protect and sustain gazetted forests and conservation areas from irregular excision, degazetment or conversion to non- conservation uses.

[The Deputy Speaker (Sen. Kathuri) left the Chair]

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[The Temporary Speaker (Sen. Abdul Haji) in the Chair]

Mr. Temporary Speaker, Sir, I will read the second one, also on behalf of Sen. Edwin Sifuna.

STATUS OF NEW KAREN MARKET

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Trade, Industrialisation and Tourism on a matter of countywide concern regarding the state of the New Karen Market, whose construction was launched in August, 2024.

The Karen Market Project was intended to provide local traders with a safe, dignified and conducive environment in which to conduct their businesses. However, despite substantial public investment, the project has stalled, leaving hundreds of traders operating in temporary and poorly constructed structures that exposes them to harsh weather conditions, insecurity and an unhealthy traditional trading environment.

Additionally, traders continue to face harassment, evictions and destruction of their goods and business premises by county enforcement officers, resulting in significant financial losses and disruption of their livelihoods.

In the Statement, the committee should address the following-

(1) The reasons for the stalled construction of Karen Market, including the status of the project, measures being taken to assure its completion, and the timelines within which construction workers are expected to resume and be finalized.

(2) The extent of losses incurred by traders as a result of raids, evictions and destruction of property by county enforcement officers, including the number of affected traders and the measures being undertaken by the county government to compensate affected traders and prevent recurrence of such incidents.

I have read this statement on behalf of Sen. Edwin Sifuna, MP, Senator for Nairobi City County.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): Thank you. Hon. Senators, I will now rearrange the sequence of the Order Paper. I defer Order Nos. 11 to 27 and ask the Clerk to call the next Order. My apologies.

BILL

Second Reading

THE COMMUNITY HEALTH PROMOTERS BILL
(NATIONAL ASSEMBLY BILL NO.53 OF 2022)

(Bill deferred)

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MOTION**ADOPTION OF REPORTS OF THE COMMITTEE ON DELEGATED
LEGISLATION ON TRAFFIC RULES AND NTSA REGULATIONS**

THAT, the Senate adopts the Reports of the Select Committee on Delegated Legislation on its consideration of the - i) The Traffic (School Transport) Rules, 2026 (Legal Notice No. 11 of 2026; ii) The Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No. 13 of 2026); and iii) The National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026 (Legal Notice No. 14 of 2026); laid on the Table of the Senate on Wednesday, 10th June, 2026; and that pursuant to Section 18 of the Statutory Instruments Act, the Senate resolves to annul the Traffic (School Transport) Rules, 2026 (Legal Notice No. 11 of 2026; the Traffic (Motor Vehicle Inspection) Rules, 2026 (Legal Notice No. 13 of 2026); and the National Transport and Safety Authority (Operation of Commercial Vehicles) Regulations, 2026 (Legal Notice No. 14 of 2026).

(Motion deferred)

COMMITTEE OF THE WHOLE**THE COUNTY GOVERNMENTS ADDITIONAL
ALLOCATIONS BILL (SENATE BILLS NO.8 OF 2026)**

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE**THE COUNTY ALLOCATION OF REVENUE BILL
(SENATE BILLS NO.10 OF 2026)**

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE**THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.3 OF 2024)**

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE ELECTRONIC EQUIPMENT DISPOSAL RECYCLING
AND REUSE BILL (SENATE BILLS NO.5 OF 2025)

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE CULTURE BILL (NATIONAL ASSEMBLY
BILLS NO.12 OF 2024)

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE HEALTH (AMENDMENT) BILL
(SENATE BILLS NO.12 OF 2025)

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE HERITAGE AND MUSEUMS BILL
(SENATE BILLS NO.8 OF 2023)

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL
(SENATE BILLS NO.10 OF 2024)

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE ENVIRONMENT LAWS (AMENDMENT) BILL
(SENATE BILLS NO.23 OF 2024)

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE SPORTS (AMENDMENT) (NO. 2) BILL
(SENATE BILLS NO.45 OF 2024)

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE PUBLIC AUDIT (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILLS NO.4 OF 2024)

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE COUNTY HALL OF FAME BILL
(SENATE BILLS NO.18 OF 2023)

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE PUBLIC FUNDRAISING APPEALS BILL
(SENATE BILLS NO.36 OF 2024)

(Committee of the whole deferred)

COMMITTEE OF THE WHOLE

THE COUNTY OVERSIGHT AND ACCOUNTABILITY
BILL (SENATE BILLS NO.3 OF 2024)

(Committee of the whole deferred)

Hon. Senators, we are rearranging the sequence of the Order Paper and we will go straight to Order No.27.

Clerk, you may proceed.

BILL*Second Reading*THE ASSISTED REPRODUCTIVE TECHNOLOGY BILL
(NATIONAL ASSEMBLY BILLS NO.61 OF 2022)*(Sen. Mumma on 11.06.2026)**(Resumption of debate interrupted on 11.06.2026)*

The Temporary Deputy (Sen. Abdul Haji): Sen. Catherine Mumma, you may proceed.

What is your clarification, Sen. Eddy Oketch?

Sen. Oketch Gicheru: Mr. Temporary Speaker, Sir, I do beg to get your clarification. We had these orders rearranged to the extent that these statements that were read were brought back. We are sitting here waiting to add some input in on these statements.

I was just wondering whether there was a chance we could comment on these statements. Some statements are so critical that we thought it would be important to highlight on.

The Temporary Speaker (Sen. Abdul Haji): Thank you, Sen. Eddy. I have heard you, but unfortunately, you were not in the House when the Speaker made a ruling that he was rearranging the Order Paper, that Statements will be read at this time and there will be no contributions to the Statements. So, that ruling has already been made, unfortunately. So, we will go to the next order.

Proceed, Sen. Mumma.

Sen. Mumma: Thank you, Mr. Temporary Speaker, Sir, for the opportunity to continue moving the Assisted Reproductive Technology Bill. I will be indulgent. I will not even use all my minutes because I actually substantively moved this Bill the last time I spoke to it.

The Assisted Reproductive Technology Bill, 2022 is a Bill, the first comprehensive legal framework that is providing for the assisted reproductive technology. It is about this Parliament bringing the practise of assisted reproductive technologies, which is currently happening in the country under regulation. The reason it is important for Parliament to pass this law is; many rights will be affected if we allow this practise to happen unchecked. It is already happening unchecked.

[The Temporary Speaker (Sen. Abdul Haji) left the Chair]

[The Deputy Speaker (Sen. Kathuri) in the Chair]

Mr. Deputy Speaker, Sir, we have people signing up and we have commercial surrogacy happening in the country and because there is no law and regulation to guide this practise, then we will have rights of vulnerable people who feel they want to make some money being violated. We have the rights of children being violated. For instance, a child who is born out of this process may very well not be able to be provided for in terms of registration. We would have dangers of them being stateless and so on.

Mr. Deputy Speaker, Sir, I raised all these issues the last time I spoke and I would not want to, because I know there is more business to happen, I would like at this point if Sen. Eddy---

(Sen. Mungatana and Sen. Oketch Gicheru consulted)

The Deputy Speaker (Sen. Kathuri): Just communicate to the Chair. Do not mind the other ---

Sen. Mumma: Hon. Deputy Speaker, it is because Hon. Eddy is interfering with Sen. Mungatana whom I would like to second this Bill.

The Deputy Speaker (Sen. Kathuri): Just pronounce yourself that you want Sen. Mungatana to second the Bill.

Sen. Mumma: As I finalise, the Bill prohibits certain activities that would actually violate rights. It protects rights for those who would be vulnerable and need protection, for instance, parents, surrogates, donors and children. It also facilitates issues relating to access to information while also providing for confidentiality. It also brings a regulatory framework on licensing for those who would practise in relation to these technologies.

Therefore, with all of that, I wish to call upon Sen. Mungatana to second.

I thank you.

Sen. (Dr.) Mungatana MGH: Mheshimiwa Naibu Spika, nachukua nafasi hii kumshukuru Seneta Catherine Mumma kwa kueleza kwa makini sheria hii ambayo tunataka kuipitisha katika Seneti. Sheria hii imetungwa kwa sababu ya shida ambayo wananchi wanapata. Watu wanapendana, wanaoana na kisha baada ya kuoana, sote huwa tunamwomba Mungu awabariki maharusi na watoto. Ukweli wa mambo ni kwamba kuna watu wengi ambao wanafanya ndoa, wanakubaliana na wanamwomba Mungu wapatate watoto lakini kwa sababu moja ama nyingine, pengine mume anakosa kuweza kuzalisha ama mke anakosa kuweza kubeba mimba.

Bwana Naibu Spika, hawa ni watu ambao wamependana na wamemwomba Mungu awasaidie kupata mtoto. Lakini kwa sababu moja au nyengine, unakuta mama hana uwezo wa kubeba mtoto ama baba hawezi kuzalisha. Baadaye, shida inaingia nyumbani. Unapata mama anasumbuliwa ama ndoa inaharibika na mapenzi kuisha. Shida hii inaingia kwa watu waliopendana na kuapa mbele ya Mungu kuwa wataishi pamoja kwa kukosa namna ya kupata watoto.

Shida kama hii ikiingia, watu wengi wamekuwa katika hali ya utata. Wanaambiwa wakimbie nchi fulani ama Nairobi, Mombasa, Zanzibar ama Ethiopia kama

uko sehemu za nyanja ya juu. Watu wanaambiwa stori nyingi. Wengine wanatumia hela nyingi.

Wengine wanapelekwa mahali ambapo hapana huduma za kiafya zinazofaa kusimamia na kutibu shida kama hizi. Hii imekuwa ni shida kwa wananchi wetu wa hapa Kenya na watu wa Tana River wenye matatizo ya kukosa mtoto kwa sababu ya udhaifu wa kuzalisha ama kubeba mimba.

Sheria hii ninayosimama kuiunga mkono kwa dhati imekuja ili tuhakikishe ya kwamba wananchi walio na shida kama hizi wanapata suluhisho bila kushindwa, kuteswa au kutumiwa vibaya. Teknolojia iliyopo Kenya, Afrika Mashariki na hata Afrika nzima sasa inaweza kusaidia wananchi. Watu wamesomea udaktari na teknolojia ya hali ja juu na watu wameweza kupata usaidizi.

[The Deputy Speaker (Sen. Kathuri) left the Chair]

[The Temporary Speaker (Sen. Abdul Haji) in the Chair]

Bwana Spika wa Muda, mbali na teknolojia, sayansi pia imehakikisha ya kwamba mbegu za mwanaume zinaweza kuchukuliwa na kuwekwa katika yai la mwanamke na kuekwa nje ya tumbo la mama kama ana shida ya kubeba mimba na akabebewa na mtu mwingine hadi mtoto apatikane. Pia, anaweza kuekwa hospitalini ambapo atakaa mpaka wakati wanapotaka kubeba mimba. Hii ni sayansi iliyopo.

Swali ni je, wananchi wa Kenya watafanya hivi kufuatia sheria gani? Je, kuna sheria ya kusaidia baba na mama au kijana na msichana waliopendana na wako na changamoto hii? Wataifanya namna gani ili iwe kwa hali iliyo safi na iliyokubalika na serikali? Je, wataifanya katika njia inayoeleweka na kila mtu na haina tashwishi na hawatatumia pesa nyingi au kutumiwa vibaya kwa sababu ya shida hiyo?

Kwa hivyo, sheria hii imetupatia nafasi kubwa kujenga familia ambazo zingepata shida. Pia, imetoa nafasi kwa wale ambao ni wazee. Kuna watu hupata wapenzi wao wakiwa wamezeeka. Hata hivyo, wanapendana licha ya kuwa mke kutokuwa na uwezo wa kubeba mimba kwa sababu ya udhaifu wa kimwili. Mimba inaweza kubebwa kisayansi nje ya tumbo la mpenzi wako, mama mzee au mama aliye na shida kisha mtoto akazaliwa bila shida yoyote.

Kwa hivyo, Bw. Spika wa Muda, safari ambayo tumeanza katika Seneti hii ni kusaidia wananchi wa Kenya kwa kuhakikisha kuwa kuna sheria. Hakuna mtu ambaye anafaa kwenda kuambiwa atalipa shilingi milioni moja au mbili ili kuvunja nyumba za watu ilhali sayansi ipo.

Mswada huu unanua kuunda kamati ya teknolojia ambayo itasamimia na kutunza mambo hayo. Kuna sheria ambazo zimepigwa marufuku hapa. Kwa mfano, kuna sheria inayosema kuwa huwezi kuchukua mbegu za mtu ambaye ameaga na kutumia; awe mwanamume au mwanamke. Hata kama mmeziweka ndani ya friji, haziwezi kutumika. Sheria hiyo inasema kuwa haikubaliki kuchukua mbegu za mwanamume na kuchanganya na mbegu za wanyama ama kufanya kitu ambacho hakiko katika mipangilio ya Mwenyezi Mungu. Kwa hivyo, sheria hii itaweka namna mwafaka ya wananchi kupata

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nafasi ya kujisaidia. Vilevile itazuia mambo mengine ambayo watu wabaya wanaweza kutumia kufanya kutokana na shida ambazo wananchi wanapitia.

Kwa hivyo, Bw. Spika wa Muda, nawasihi wenzangu tupitische Mswada huu. Naomba sana wenzangu katika Seneti tupitische Mswada huu kwa sababu kuna kitengo cha wananchi ambao wanasumbuka. Kuna walaghai ambao wameingia katika kitendo hicho na kujaribu kupata pesa kutumia shida za wananchi hao. Sasa tutakuwa na mwelekeo wa kisawasawa.

Ukienda hospitalini, utaelezewa jinsi utakavyofanya. Sheria ambayo itatumika itaenda hadi kwenye hospitali za wananchi wa kawaida. Kwa mfano, ukienda katika hospitali kubwa zaidi kule Hola katika Kaunti ya Tana River, ikiwa huwezi kupata watoto, sheria hii itasaidia watu kwenda kule na kusaidika bila kutoa pesa nyingi. Sisi tunataka sana sheria hii iwasaidie watu wetu.

Kabla sijaketi, ningependa kusihhi Wabunge wenzangu kuunga mkono Mswada huu. Pengine mimi na wewe hatuna shida lakini kuna baadhi yetu wana shida. Kazi tutakayoifanya leo ya kupitisha Mswada huu huenda itatuongezea alama mbele ya Mwenyezi Mungu. Ukiulizwa ulipokuwa katika Seneti ni kitu gani kingine ulifanya---

(Sen. Oketch Gicheru spoke off record)

Wewe, Seneta wa Migori wacha. Huenda ukaulizwa ulipokuwa Seneta ulifanya kazi gani. Tukipitisha Mswada huu, mojawapo ya kazi ambayo utasema ulifanya ni kwamba ulisaidia wanadamu wenzako ambao wana shida kuweza kupata watoto kutumia teknolojia.

Kwa hayo mengi au machache, Bw. Spika wa Muda, naunga mkono Mswada huu. Asante sana.

The Temporary Speaker (Sen. Abdul Haji): I will now propose the question.

(Question proposed)

Proceed, Sen. Okenyuri.

Sen. Okenyuri: Mr. Temporary Speaker, Sir, I do not understand why we are being hurried to finish this process. I will spend a few minutes, but I really do not understand why that limitation should be there because this is a Bill that seeks to address serious challenges.

Mr. Temporary Speaker, Sir, are you aware that there are women who have been sent out of their marriages because they cannot conceive? That is a discussion that we would have had adequate time to contribute to and support this Bill. While that may be, let me commend Sen. Catherine Mumma, the co-sponsor, and the sponsor from the National Assembly, Hon. Millie Odhiambo, a legislator I admire.

Yesterday, I had the opportunity to interact with her and share her book, "*Rig or be Rigged*." Therefore, I had to support this Bill because it addresses a challenge that people do not want to discuss, yet it is very prevalent in our communities. We have people who are practising assisted reproduction and we are not talking about it.

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It is time that this conversation be opened, so that we assist people who want to conceive and bring children to life, so that their homes are not broken and they are not sent out of their marriages, because having children is a blessing. It is very unfortunate when someone is unable to have children and they are segregated from others because of that. The reason I had to speak about this is that it provides a solution to the challenge I have just mentioned.

Since we have limited time, allow me to say I support the Bill on that basis, that we will assist several families out there. People want to protect certain attributes they love. The moment you advance in age, you face certain challenges. I might not mention them at this time, but I support this, Bill.

Thank you.

The Temporary Speaker (Sen. Abdul Haji): Thank you. Proceed, Sen. Mwaruma.

Sen. Mwaruma: Bw. Spika wa Muda, asante kwa kunipa fursa hii ili nichangie Mswada huu ulioletwa na Sen. Mumma. Kwa Kimombo unaitwa Assisted Reproductive Technology Bill, wa kuwasaidia akina mama ambao hawawezi kupata watoto. Ni wakati mwafaka wa kupitisha Mswada huu, kwa sababu yeyote anayeo au kuingia kwenye ndoa kwa minajili ya kupata watoto, anataka kupata watoto ili kuendeleza kizazi chake. Lakini mara kwa mara, tumeona kwamba haijawezekana.

Kwa hivyo, sheria hii inatafuta kuangalia jinsi gani wale ambao hawawezi kubeba mimba wenyewe wanaweza kusaidiwa ili kupata mtoto. Kuna watu wengi, kwa sababu moja au nyingine, hawawezi kubeba mimba. Kwa mfano, wale wanawake ambao labda katika ujana wao walikuwa wakiavya mimba. Wakijaribu kupata mimba kwa hali ya kawaida, wanashindwa.

Kwa hivyo, Mswada huu umekuja kwa wakati unaofaa ili kusaidia wale ambao hawawezi kubeba mimba. Uwepo na njia ya kusaidiwa na wenzao kubebewa mimba, kwa kutafuta mbinu ya kupata yai la mama na mbegu kutoka kwa shahawa ya mwanamume kuwekwa pamoja na kuwa mtoto. Lakini hakujakuwa na njia ya kudhibiti teknolojia hiyo. Kwa mfano, kama mama amebewewa mimba kwa sababu hawezi kubeba mimba, imekuwa shida sana kwa sababu kuna akina mama ambao wamekimbia na watoto wa wenzao. Lakini sasa katika Mswada huu, ni bayana kwamba mama akimbebea mwenzake mimba, basi majina ya mtoto yataandikishwa kwa wazazi waliomwomba, sio kwa aliyebeba mimba. Nafikiri hilo ni swala muhimu sana.

Kwa sababu wakati unapomzalia mwenzako, ilibidi uende kwa sheria ya adoption, kwamba mtoto ambaye nimembebea mwenzangu ataandikishwa kwa majina yangu, na yule mamake mwenyewe inabidi apitishwe. Kwa maoni yangu, litakuwa ni jambo la muhimu sana katika Bunge letu kuunga mkono huu Mswada wa Sen. Mumma kwa sababu ya kudhibiti hii teknolojia ya *assisted reproduction*.

Kwa hivyo, moja kwa moja, nauunga huu Mswada mkono. Siwezi kuendelea zaidi ya hapo kwa sababu nimeambiwa kuwa hakuna muda. Walakini, tuiunge hii sheria mkono kwa sababu tumeona kwamba, kuna watu ambao wangetaka kupata watoto na wananenda kwa--- kwa mfano, ni msichana mdogo na miaka inayoyoma, anaona kuwa hawezi kuolewa na kwamba atakuwa bila mtoto. Hivyo basi, anatafuta wanaume wa

wenzao, wanaitwa *wababaz*, ili apate watoto. Walakini, katika teknolojia hii, hata kama huwezi kupata mtoto, hutakuja kwa mzee kama mimi ili nikupatie mbegu. Unaweza kutafuta mtu wako upate mbegu na kupandikiziwa mtoto.

Sitaki kuendelea zaidi ya hapo kwa sababu muda umeisha.

Asante, Mhe. Spika wa Muda.

The Temporary Speaker (Sen. Abdul Haji): Asante Mheshimiwa Mwaruma. Can I call the Mover to reply?

Sen. Mumma: Thank you, Mr. Temporary Speaker, Sir.

I am moving to reply, just to thank all the Senators who have contributed positively to this Bill, and who acknowledge that we will be doing ourselves as a nation a big favour if we pass this law, so that the science, technologies and advancements in matters relating to fertility can benefit Kenyan men and women, and that this is within our culture. Surrogacy existed in some of our cultures and it is something we need to embrace and support as a country. I expect when we reach to move to the next stage of this Bill, that every Senator will see the value of this Bill and embrace it.

I therefore reply, and wish to request the Hon. Speaker that the putting of the question be deferred.

Thank you, Mr. Temporary Speaker, Sir.

The Temporary Speaker (Sen. Abdul Haji): The putting of the question is hereby deferred.

(Putting of the question on the Bill deferred)

[The Temporary Speaker (Sen. Abdul Haji) left the Chair]

[The Temporary Speaker (Sen. Mumma) in the Chair]

The Temporary Speaker (Sen. Mumma): Hon. Senators, we are rearranging the sequence and moving on to Order No.28.

BILL

Second Reading

THE COUNTY GOVERNMENTS LAWS (AMENDMENT) BILL (SENATE BILLS NO.14 OF 2025)

The Temporary Speaker (Sen. Mumma): Sen. Haji, please proceed.

Sen. Abdul Haji: Thank you, Madam Temporary Speaker.

Madam Temporary Speaker, I beg to move that the County Governments Laws (Amendment) Bill (Senate Bills No.14 of 2025) and request for it to be read now a Second Time pursuant to Standing Order No.146 of the Senate Standing Orders.

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Madam Temporary Speaker, this Bill seeks to amend the County Governments Act, Cap 26 of the Laws of Kenya and the Public Appointments County Assembly's Approval Act, Cap 265(b). The amendments aim to enhance the legislative process at the county level by ensuring timely assent and publication of Bills mandating governors to deliver state of the county addresses before assemblies, establishing clear timelines for the nomination and approval of County Executives Committee Members (CECMs) and Chief Officers, aligning County Public Service Board (CPSB) terms with electoral cycles, restricting pre-election appointments, introducing periodic county public service audits and deeming nominations approved if assemblies fail to act within the specified period. These proposed changes are intended to promote efficiency, accountability and better governance in county administration.

The intention of amending the County Governments Laws (Amendment) Bill was brought about by a problem that we faced this term in the Senate when certain governors, after the election, took almost two years to appoint Chief Officers. In some of the defenses, they kept telling the Senate that they were having problems with the County Public Service Board (CPSB).

I do not want to take much time and I will ask Senators to read this Bill. In amending this Bill, we will be able to bring efficiency in the county governments and task governors in following the law because the laws as it is now, is silent on some of these matters.

The County Governments Act as it is right now, provides the framework for the establishment functions and operations of county governments. The key sections which the Bill seeks to amend include Section 24, which outlines the process of assent to Bills passed by county assemblies. We have seen and we have heard from the county assemblies that they have been passing Bills at the assemblies and the governors are sitting on the Bills, and they do not see the light of day.

There is also Section 25, which requires that legislation passed by the county assembly is amended for the governor to publish in both the County Gazette and the Kenya Gazette.

Section 30 requires governors to deliver annual state of the county address, but does not specify the forum. I remember hearing on this Floor of the House we have had governors addressing the county assembly under a tree in some counties. We have also seen some county assemblies holding two forums one at the county assembly and another one outside the assembly. This law will regularise that.

Section 35 provides for the appointment of County Executive Committee Members (CECMs) without explicit timelines for nomination and approval post swearing-in or after the elections. Section 42 requires the constitution of a new county executive committee after an election to be finalised within 21 days of the swearing-in of the Members County Assembly (MCAs), a timeline that is inconsistent with the Public Appointments Approval Act and has been found to be insufficient.

Section 45, which deals with the county chief officers lacks caps on their numbers and approved timelines. In this Bill, we have amended and proposed that the number of county officers be pegged at 20.

During the public participation when the county the Council of Governors (CoG) appeared, they said for some counties which is understandable, the number 20 or 14 will be very small. Nairobi City County, for example, which is quite a big with a huge budget might require a bit more. That is something open for discussion with the Senators and during amendments we can see if we can we can increase the number of chief officers.

Section 58 sets a six-year non-renewable term for county public service boards without alignment to electoral cycles. In the amendment, we noted that the office of the governor is a political office. We understand that governors go through an election cycle and when they campaign, they make promises, a major one being employment of youths and residents at the county government.

We have seen that after every election, there seems to be a disconnect between the CPSB and the governor because the CPSB was appointed by the previous governor. So, we thought that we should put a clause to enable a newly elected governor to appoint a new County Public Service Board (CPSB), but within a period of time. We have allowed that he or she can keep the board for a period of six months after the elections. Section 58A provides for the governor to nominate members to a selection panel for selecting suitable candidates as members of the CPSB only when a vacancy arises. However, it does not require such nominations after a general election. Section 63 restricts certain appointments during election periods but allows exceptions for continuity.

Madam Temporary Speaker, Sir, the other thing that we have noticed in the period of time that we have been in the Senate is that towards the election, governors tend to break the laws by hiring a lot of people as a promise for them to be re-elect again. We have realised that this usually affects the ceiling. When a new governor comes in the next election, he or she finds a bloated human resource at the county level.

Currently, Section 86 does not mandate periodic audits of the CPSBs. We have also included a clause to allow the National Public Service Board to conduct an audit of all the 47 counties to ensure that the people who have been employed as civil servants in the county governments meet the requirements and the set laws. Therefore, by aligning public service board terms with the---

My apologies. I believe that the amendments will enhance the legislative process at the county level.

I ask Senators to support this Bill. I also believe that probably, Senators have different experiences from the different counties they come from. Therefore, they will be able to provide further amendments to this Bill. This is so that we can improve it further and ensure that we take care of any loopholes that are there those governors or executives take advantage of.

With those few remarks, I ask Sen. Eddy Oketch to second this Bill.

Sen. Oketch Gicheru: Madam Temporary Speaker, it is a privilege to second this Bill. This is because governors have struggled with the concept of service to the extent that the relationship between them, Members of the County Assemblies (MCAs) and the CPSBs has been very adversarial and dictatorial. In most cases, the governors will must always happen to the extent that the legislative process and accountability framework that should be done by county assemblies has not taken root.

In fact, in our counties, MCAs only play a representative role. If you look at the legislative process, a simple issue like MCAs being able to figure out different laws that will run the county efficiently does not get publicised or take root.

The worst part is that there is no predictable way which they can pass these laws. They know that governors would assent to them and make them laws in most cases, where they have personal interests with the legislative process. For example, when they want a fund created or give land to different people in the private sector, they will listen to MCAs and pass those laws.

This is a very important piece of legislation that will make sure legislation takes root in the county. Most importantly, even on the issue of the public service boards in the county, you will find that where this law does not exist, the sitting governor will always have problems and victimisation against anybody they do not like in these boards.

It does not make sense for an overlap. It is important that we ensure that the public service board aligns with the needs of the county going forward. It should make it easy for the governor to operate and have an amicable relationship.

Madam Temporary Speaker, I know that time is stretched and we are going on recess. We should ensure that we pass this Bill before going on recess, so that we can make counties efficient.

Therefore, I second this Bill in totality.

Thank you.

(The Clerk-at-the-Table consulted with the Temporary Speaker)

(Question proposed)

The Temporary Speaker (Sen. Mumma): There is no one to contribute so I will call upon the Mover to reply.

Sen. Abdul Haji: Thank you, Madam Temporary Speaker and Sen. Oketch for seconding the Bill.

County governments play a pivotal role in devolved governance. This Senate should act to regularise the laws which have already been passed in order to cover the loopholes which the governors have been taking advantage of since 2013 when we passed the new Constitution.

Laws are there to be amended over time. It is time that we amended several laws, including the Public Finance Management (PFM) Act. There seems to be many loopholes that the governors are taking advantage of. We have also seen a lot of loopholes in the employment of county staff. The law does not state the number of advisors a county governor can have. We have seen some governors in counties having four advisors while others have up to 30. This is actually an abuse of the mandate that they have been given by the people.

For us as a Senate, the purpose of amending the laws as we move forward is to ensure that county governors are held to account for the mandate given to them after elections.

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Madam Temporary Speaker, I thank Sen. Eddy and seek to move to reply, and request that we defer putting of the question to a later day.

Thank you.

The Temporary Speaker (Sen. Mumma): It is so deferred.

(Putting of the Question to the Bill deferred)

(The Clerk-at-the-Table consulted with the Temporary Speaker)

ADJOURNMENT

The Temporary Speaker (Sen. Mumma): Hon. Senators, it is now 6.30 p.m. time to adjourn the Senate. The Senate, therefore, stands adjourned until tomorrow, Thursday, 18th June, 2026 at 2.30 p.m.

The Senate rose at 6.30 p.m.