



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT – (FOURTH SESSION)
THE SENATE
ORDER PAPER
AFTERNOON SITTING
WEDNESDAY, APRIL 09, 2025 AT 2.30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. **COMMITTEE OF THE WHOLE**
***THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)**
(Sen. Edwin Sifuna, MP)
*(Resumption of debate interrupted on Wednesday, 2nd April, 2025 –
Afternoon Sitting)
(Division)*
9. **COMMITTEE OF THE WHOLE**
**CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE
PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)**
(Sen. Crystal Asige, MP)
*(Resumption of debate interrupted on Tuesday, 8th April, 2025)
(Division)*
10. **COMMITTEE OF THE WHOLE**
***THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE
BILLS NO. 39 OF 2023)**
(Sen. Kathuri Murungi, MP)
*(Resumption of debate interrupted on Tuesday, 8th April, 2025)
(Division)*

11. **COMMITTEE OF THE WHOLE**
***THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL (SENATE BILLS NO. 34 OF 2023)**

(Sen. Mohamed Chute, MP)

*(Resumption of debate interrupted on Tuesday, 8th April, 2025)
(Division)*

12. **COMMITTEE OF THE WHOLE**
*****THE COUNTY ASSEMBLIES PENSIONS SCHEME BILL (SENATE BILLS NO. 14 OF 2024)**

(The Senate Majority Leader)

*(Resumption of debate interrupted on Tuesday, 8th April, 2025)
(Division)*

13. **COMMITTEE OF THE WHOLE**
*****THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILLS NO. 24 OF 2023)**

(The Senate Majority Leader)

*(Resumption of debate interrupted on Tuesday, 8th April, 2025)
(Division)*

14. **COMMITTEE OF THE WHOLE**
****THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2022)**

(The Senate Majority Leader)

*(Resumption of debate interrupted on Tuesday, 7th April, 2025)
(Division)*

15. **MOTION - REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS AND THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON A PETITION TO THE SENATE BY MR. LABAN OMUSUNDI CONCERNING RESTRAINING COUNTY GOVERNMENTS FROM HIRING LAW FIRMS TO REPRESENT THEM IN COURT CASES**

(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations and the Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations and the Standing Committee on Justice, Legal Affairs and Human Rights on a Petition to the Senate by Mr. Laban Omusundi concerning restraining county governments from hiring law firms to represent them in court cases, laid on the Table of the Senate on Thursday, 3rd April, 2025.

(Resumption of debate interrupted on Tuesday, 8th April, 2025)

- 16. ***THE COUNTY GOVERNMENTS (STATE OFFICERS REMOVAL FROM OFFICE) PROCEDURE BILL (SENATE BILLS NO. 34 OF 2024)**
(Sen. Karungo Thang’wa, MP)

(Second Reading)

- 17. ***THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2024)**
(Sen. George Mbugua, MP)

(Second Reading)

- 18. ***THE LABOUR MIGRATION AND MANAGEMENT (NO. 2) BILL (SENATE BILLS NO. 42 OF 2024)**
(Sen. Tabitha Mutinda, MP)

(Second Reading)

- 19. ***THE STREET NAMING AND PROPERTY ADDRESSING SYSTEM BILL (SENATE BILLS NO. 43 OF 2024)**
(Sen. Fatuma Dullo, MP)

(Second Reading)

- 20. **MOTION - ESTABLISHMENT OF NATIONAL TEACHING AND REFERRAL HOSPITALS IN KENYA**
(Sen. Johnes Mwaruma, MP)

THAT, AWARE THAT Article 43 (1) (a) of the Constitution of Kenya provides that every person has the right to the highest attainable standard of health, including reproductive health care;

NOTING THAT in Kenya, we have five National Teaching and Referral hospitals with Kenyatta University Research and Teaching Hospital in Kiambu County and Moi Teaching and Referral Hospital in Eldoret, Uasin Gishu County being the only ones outside Nairobi County;

CONCERNED THAT the bed capacity, medical equipment and human capital in these National Teaching and Referral hospitals are not sufficient to absorb all the patients seeking specialized treatment;

FURTHER CONCERNED THAT many Kenyans with critical health conditions travel long distances in order to access specialized services in Moi Teaching and Referral Hospital in Eldoret or Nairobi where the other four National Teaching and Referral hospitals are located, leading to high cost of travel, augmented disease and in some cases deaths along the way;

NOW THEREFORE the Senate urges-

- 1. The Ministry of Health to:

- i. Establish National Teaching and Referral hospitals in the Coast, Eastern, North Eastern, Nyanza and Western regions; and
 - ii. Fully equip the National Teaching and Referral Hospitals with modern medical equipment, medical supplies and personnel; and
2. The County Governments to allocate more funds to their respective health dockets to adequately facilitate their County Level 5 and Level 6 hospitals in order to enhance provision of critical health services to reduce the demand for such services from the National Teaching and Referral Hospitals.

21. **MOTION - CONSOLIDATION OF BURSARY FUNDS FOR EQUITABLE ACCESS TO EDUCATION IN KENYA**

(Sen. Karungo Thangwa, MP)

THAT AWARE THAT, Pursuant to Article 53 of the Constitution, every child in Kenya is entitled to free and compulsory basic education, and the Basic Education Act provides that, basic education should be guided by principles such as equitable access to all youth and equal access to education or institutions;

FURTHER AWARE THAT, many students in secondary schools and higher education institutions come from financially disadvantaged backgrounds, making it difficult for them to afford school fees and access education opportunities;

NOTING THAT, over the years, various interventions have been made, including the issuance of bursaries through the National Government Constituency Development Fund (NCDF), National Government Affirmative Action Fund (NGAAF), the Ministry of Education and county governments through various county bursary funds;

CONCERNED THAT, despite these efforts, schools fees remain unaffordable for many parents and the allocation of bursaries has been plagued by nepotism, favoritism, and political manipulation, lack of transparency and accountability;

FURTHER CONCERNED THAT public learning institutions are primarily funded by the Government through the Ministry of Education, and in the financial year 2024/25, approximately Kshs. 656 billion was allocated to the education sector, making it difficult to ascertain the specific funds granted to each student and that the lack of transparency in the disbursement of bursaries from various agencies makes it difficult to determine the total amount allocated in a financial year, thus hindering efforts to ensure equitable access to education for financially disadvantaged students;

NOW THEREFORE, the Senate urges the Ministry of Education, to:

- 1) audit the funds allocated to bursaries by both the National Government and county governments;
- 2) consolidate the funds distributed by various government entities and agencies, with the aim of directing these funds directly to schools as supplementary capitation to facilitate the achievement of free secondary education; and
- 3) calculate the cost of education per learner and make this information public for primary, secondary, and tertiary institutions, including a detailed breakdown of the annual financial requirements for each student across the country.

NOTICE

The Senate resolved on 13th February, 2025 as follows: -

THAT, pursuant to Standing Order 111 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner: -

A maximum of three hours with not more than twenty minutes for the Mover, twenty minutes for the Majority Party Official Responder, twenty minutes for the Minority Party Official Responder and fifteen minutes for each other Senator speaking and that fifteen minutes before the time expires, the Mover shall be called upon to reply.

KEY

******- Denotes a Majority /Minority Party Bill**

*****- Denotes a National Assembly Bill**

**** - Denotes a Committee Bill**

***- Denotes any other Bill**

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NOTICE OF AMENDMENTS

A. THE PERSONS WITH DISABILITIES BILL (SENATE BILL NO. 7 OF 2023)

(Sen. Crystal Asige, MP)

NATIONAL ASSEMBLY AMENDMENTS

NOTICE is given that the National Assembly made the following amendments to the Persons with Disabilities Bill (Senate Bills No. 7 of 2023).

CLAUSE 4

THAT clause 4 of the Bill be amended—

- (a) in paragraph (a), by deleting the word “welfare” and substituting therefor the word “rights”;
- (b) in paragraph (e), by inserting the words “inclusion and” and immediately after the words “promote the”;
- (c) in paragraph (i), by inserting the words “and compulsory” immediately after the word “free”;
- (d) by inserting the following new paragraph immediately after paragraph (p)—
 - “(q)ensure inclusion of persons with disabilities in all mainstream programs and interventions”.

CLAUSE 5

THAT clause 5 of the Bill be amended—

- (a) in sub-clause (1)—
 - (i) in paragraph (a), by deleting the word “welfare” and substituting therefor the word “rights”;
 - (ii) in paragraph (c), by inserting the words “and compulsory” immediately after the word “free”;
 - (iii) by inserting the following new paragraph immediately after paragraph (f)—
 - “(g)ensure inclusion of persons with disabilities in all mainstream programs and interventions”.
- (b) in sub-clause (2), by inserting the words “responsible for matters relating to persons with disabilities” immediately after the words “committee member” appearing in the opening statement; and
- (c) in sub-clause (4), by deleting paragraph (a) and substituting therefor the following new paragraph—
 - (a) a person with disabilities, who reside within the respective county;

CLAUSE 6

THAT clause 6(1) of the Bill be amended by deleting the words “protection, benefit” appearing in paragraph (a) and substitute therefor the words “equal protection, equal benefit”.

CLAUSE 8

THAT clause 8 of the Bill be amended —

- (a) in sub-clause (1), by deleting the words “on free consent” and substituting therefor the words “on free and full consent”; and
- (b) in sub-clause (2), by deleting the word “sexuality” and substituting therefor the word “sexual”.

CLAUSE 11

THAT clause 11(1)(f) of the Bill be amended by inserting the word “and inclusive” immediately after the word “quality”.

CLAUSE 20

THAT clause 20(8) of the Bill be amended by deleting the word “adoptive” appearing in paragraph (b) and substituting therefor the word “adaptive”.

CLAUSE 21

THAT clause 21 of the Bill be amended—

- (a) in sub-clause (2), by inserting the words “where an employer has at least twenty employees,” immediately before the word “reserve” in paragraph (a); and
- (b) in sub-clause (5)(e), by deleting the word “solely”.

CLAUSE 25

THAT clause 25(e) of the Bill be amended by inserting the words “putting in place mechanisms for” immediately before the words “prompt attendance”.

CLAUSE 26

THAT clause 26 of the Bill be amended –

- (a) by deleting sub-clause (1) and substituting therefor the following new sub-clause –

...../Notice of Amendments

- (1) Every person with disability has the right to freedom of expression and opinion, including the freedom to seek, receive and impart information and ideas, and the right to access information, on an equal basis with others, in a timely manner and without additional cost”;
- (b) in sub-clause (2), by inserting the words “forms of” immediately after the words “and other”;
- (c) in sub-clause (7), by deleting the words "Media Council of Kenya" and substituting therefor the words "Communication Authority of Kenya in consultation with the Council”;
- (d) in sub-clause (8), by deleting the words “sub-titles” and substituting therefor the words “closed captioning”; and
- (e) in sub-clause (10), by inserting the words “and private” immediately after the word “public”.

CLAUSE 28

THAT clause 28(2) of the Bill be amended by deleting the word “Kenya” appearing in paragraph (b) and substituting therefor the word “Kenyan”.

CLAUSE 29

THAT clause 29(4) of the Bill be amended by deleting the word “Kenya” and substituting therefor the word “Kenyan”.

CLAUSE 45

THAT clause 45(4) of the Bill be amended by deleting the word “five” and substituting therefor the word “three”.

CLAUSE 50

THAT clause 50 of the Bill be amended—

- (a) in sub-clause (1), by inserting the words “upon request by a member of the public or” immediately before the words “where it considers” appearing in paragraph (a);
- (b) in sub-clause (3), by inserting the words “or a member of the public” immediately after the words “regulatory body”.

CLAUSE 56

THAT clause 56 of the Bill be amended—

- (a) in sub-clause (1), by deleting the expression “Kshs. 150,000/=” and substituting therefor the words “of such amount as may be prescribed by the Cabinet Secretary”; and

(b) in sub-clause (2), by deleting the expression “Kshs. 10,000/=” and substituting therefor the words “such amount as may be prescribed by the Cabinet Secretary”

CLAUSE 62

THAT clause 62 of the Bill be amended by deleting the words “one million” and substituting therefor the words “two million”.

CLAUSE 63

THAT clause 63 of the Bill be amended—

- (a) by renumbering the existing clause as sub-clause (1);
- (b) by inserting the following new sub-clause immediately after sub-clause (1)—
 - “ (2) A person who contravenes subsection (1) commits an offence and is liable on conviction to a fine not exceeding one million shillings or to imprisonment for a term not exceeding one year or to both”.

CLAUSE 65

THAT clause 65 of the Bill be amended by deleting the words “two hundred thousand shillings” and substituting therefore the words “two million shillings”.

CLAUSE 66

THAT clause 66 of the Bill be amended by deleting the words “two hundred thousand shillings” and substituting therefore the words “one million shillings”.

CLAUSE 72

THAT clause 72 of the Bill be amended by inserting the following new paragraph immediately after paragraph (b)—

- “(c) ensuring that bus-stops are barrier-free”.

CLAUSE 74

THAT clause 74 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “alone” appearing in the opening statement; and
- (b) in sub-clause (2) by deleting the word “alone”.

NEW CLAUSE 36A

THAT the Bill be amended by inserting the following new clause immediately after clause 36—

Headquarters and other offices of the Council. **36A.**(1) The headquarters of the Council shall be in Nairobi.

(2) The Council shall establish other offices and decentralize its services to such other parts of the country as it considers necessary in accordance with Article 6(3) of the Constitution.

NEW CLAUSE 66A

THAT the Bill be amended by inserting the following new clause immediately after clause 66—

Begging and receiving alms. **66A.** A person who causes, procures, encourages or solicits a child or an adult with disabilities to engage in begging or receiving alms commits an offence and shall be liable on conviction to a fine not exceeding two million shillings or imprisonment for a term not exceeding two years, or to both.

NEW CLAUSE 73A

THAT the Bill be amended by inserting the following new clause immediately after clause 73—

Housing. **73A.** Every Government agency putting up residential and commercial buildings shall reserve at least five percent of the said residential and commercial buildings for acquisition by persons with disabilities and the terms and conditions of such acquisition to persons with disabilities shall include interest free and longer periods of repayment.

B. *THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)

(Sen. Kathuri Murungi, MP)

NOTICE is given that the Chairperson, Standing Committee on Finance and Budget, intends to move the following amendments to the County Public Finance Laws (Amendment) Bill (Senate Bills No. 39 of 2023) at the Committee Stage-

CLAUSE 6

THAT clause 6 of the Bill be amended

(a) in the proposed new section 109A by-

(b)

(i) by deleting paragraph (b) and (d) appearing in subsection (2);

(ii) in subsection (7) by deleting the word “Service” appearing immediately after the words “County Assembly” in paragraph (b); and

(iii) by deleting subsection (10).

(c) in the proposed new section 109B by deleting paragraph (c)

CLAUSE 8

THAT clause 8 of the Bill be amended by deleting the word “Service” appearing immediately after the words “County Assembly”.

C. *THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL, SENATE BILLS NO. 34 OF 2023

(Sen. Mohamed Chute, MP)

NOTICE is given that the Chairperson, Standing Committee on Devolution and Intergovernmental Relations intends to move the following amendments to the County Assembly Services (Amendment) Bill (Senate Bills No. 6 of 2023), at the Committee Stage—

CLAUSE 4

THAT the Bill be amended by deleting Clause 4.

CLAUSE 5

THAT the Bill be amended by deleting Clause 5.

D. **THE COUNTY ASSEMBLIES PENSIONS SCHEME BILL (SENATE BILLS NO. 14 OF 2024)**

(The Senate Majority Leader)

NOTICE is given that the Chairperson, Standing Committee on Labour and Social Welfare, intends to move the following amendments to the County Assemblies Pensions Scheme Bill (Senate Bills No. 14 of 2024), at the Committee Stage—

CLAUSE 4

THAT clause 4 of the Bill be amended by deleting—

- (a) subclause (2); and
- (b) the words “social security benefits including” appearing at the end of the introductory clause to subclause (3).

CLAUSE 5

THAT clause 5 of the Bill be amended by deleting—

- (a) the words “and members of staff of county assemblies” appearing at the end of subclause (1); and
- (b) deleting the words “and staff” appearing immediately after the word “assemblies” in subclause (2).

CLAUSE 6

THAT clause 6 of the Bill be amended—

- (a) by inserting the following new subclause immediately after subclause (1)—
 - (1A) The Board shall be a body corporate with perpetual succession and a common seal and shall, in its corporate name, be capable of—
 - (a) suing and being sued;
 - (b) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;
 - (c) entering into contracts; and
 - (d) doing or performing all other things or acts for the furtherance of the provisions of this Act which may be lawfully done or performed by a body corporate.
- (b) in clause (2) by—
 - (i) deleting the word “two” appearing at the beginning of paragraph (c) and substituting therefor the word “three”;
 - (ii) deleting the word “two” appearing at the beginning of subparagraph (d) (i) and substituting therefor the word “three”;
 - and
 - (iii) deleting paragraph (e).

CLAUSE 9

THAT clause 9 of the Bill be amended—

(a) by deleting subclause (2); and

(b) in subclause (3) by deleting the words “The Board” appearing at the beginning of the subclause and substituting therefor the words “The Cabinet Secretary”.

CLAUSE 11

THAT clause 11 of the Bill be amended by inserting the following new paragraph immediately after paragraph (g)—

(h) term expires;

CLAUSE 13

THAT clause 13 of the Bill be amended by deleting paragraph (g).

CLAUSE 23

THAT clause 23 of the Bill be amended by deleting subclause (2).

CLAUSE 24

THAT clause 24 of the Bill be amended by deleting—

(a) subclause (4);

(b) subclause (6) and substituting therefor the following new subclause—

(6) Any contribution not paid to the scheme by a sponsor within ten days after the last day of the calendar month to which the contributions relate, shall attract interest which shall not be less than the interest declared during the period the contribution remains unremitted.

CLAUSE 26

THAT clause 26 of the Bill be amended—

(a) by deleting the words “or a staff of a county assembly” appearing at the end of subclause (1);

(b) in subclause (3)—

(i) by deleting paragraph (a);

(ii) in paragraph (b) -

(a) by deleting the introductory phrase to paragraph (b) and substituting therefor the following new phrase—

(b)where a member ceases being a member of a county assembly before attaining the early retirement age, that member may opt for payment of—

(b) by deleting sub paragraph (i) and substituting therefor the following new sub paragraph—

(i) not more than fifty percent of his total accrued benefits and the investments income that has accrued in respect of those contributions provided that a member may withdraw any additional voluntary contributions made into the scheme and accrued interest in full;

(iii)in the introductory phrase to paragraph (c) by deleting the words “before attaining the early retirement age” appearing at the end of the paragraph.

CLAUSE 29

THAT clause 29 of the Bill be amended by deleting the words “Despite the provisions of any other written law” appearing at the introductory part of subclause (2) and substituting therefor the words “Subject to the Retirement Benefits Act”.

CLAUSE 49

THAT clause 49 of the Bill be amended by deleting subclause (4) and substituting therefor the following new subclause—

(4) Without prejudice to any proceedings instituted under the provisions of this section, a sponsor who makes a deduction from a member’s emoluments for remittance to the Scheme and fails to remit the contribution to the Scheme within fifteen days commits an offence and shall on conviction be liable to a fine not exceeding five million shillings or in the case of a natural person to imprisonment for a term not exceeding two years or to both.

CLAUSE 52

THAT the Bill be amended by deleting clause 52.

CLAUSE 53

THAT the Bill be amended by deleting clause 53 and substituting therefor the following new clause—

Transition of county assemblies to the Scheme 53. (1) A member of a county assembly who is a member of the Local Authorities Provident Fund, the Local Authorities Pension Trust, the Local Authorities Pension Trust (Defined Benefits) Scheme and the Local Authorities Pension Trust (Umbrella) Retirement Fund shall be transitioned into the Scheme within one year upon the commencement of this Act.

(2) The funds, assets and other movable or immovable property which immediately before the commencement date were held by or on behalf of the Local Authorities Provident Fund, the Local Authorities Pension Trust, the Local Authorities Pension Trust (Defined Benefits) Scheme and the Local Authorities Pension Trust (Umbrella) Retirement Fund for the members of county assemblies shall vest in the Scheme.

(3) All the records of members of county assemblies held by the Local Authorities Provident Fund, the Local Authorities Pension Trust, the Local Authorities Pension Trust (Defined Benefits) Scheme and the Local Authorities Pension Trust (Umbrella) Retirement Fund shall be transferred to the Scheme administrator.

(4) All rights, liabilities and duties whether arising under any written law or otherwise, which immediately before the commencement date were accruing, imposed or enforceable by or against the Local Authorities Provident Fund, the Local Authorities Pension Trust, the Local Authorities Pension Trust (Defined Benefits) Scheme and the Local Authorities Pension Trust (Umbrella) Retirement Fund with regard to members of county assemblies shall vest in, be imposed on, or be enforceable against the Scheme.

NEW CLAUSES

NEW CLAUSES

THAT the Bill be amended by inserting the following new clauses immediately after clause 46—

Exemption from compliance with provisions of this Act 46A. The Cabinet Secretary may, by order in the *Gazette*—

- (a) exempt any person or class of persons from compliance with any specified provisions of this Act; or
- (b) extend the time for compliance by any person or class of persons with any specified provisions of this Act

provided that nothing in this section shall apply in respect of payment of retirement benefits.

Provisions of the Retirement Benefits Act 46B. The provisions of the Retirement Benefits Act (Cap. 197) and regulations thereunder shall apply to the Fund.

CLAUSE 2

THAT clause 2 of the Bill be amended by—

- (a) inserting the definition of the term “beneficiary” immediately after the definition of the term “Authority”—
 - “beneficiary” means a dependant, a person nominated by the member in writing or any other person other than a member entitled to receive a benefit;
- (b) deleting the definition of the term—
 - (i) “existing schemes” and inserting therefor the following new definition—
 - "existing scheme" means the Local Authorities Provident Fund, the Local Authorities Pension Trust, the Local Authorities Pension Trust (Defined Benefits) Scheme and the Local Authorities Pension Trust (Umbrella) Retirement Fund;
 - (ii) “income drawdown” and inserting therefor the following new definition—
 - “income drawdown” means an arrangement that allows a member of a retirement benefits scheme to access his or her accumulated retirement benefits as a regular income through reinvesting his or her benefits from an income drawdown fund registered by the Retirement Benefits Authority;
 - (iii) “member” and inserting therefor the following new definition—
 - “member” means an eligible member of a county assembly who has become a member of the Scheme and includes a person entitled to or receiving a benefit under the Scheme;

(iv) “normal retirement age” and inserting therefor the following new definition—

“normal retirement age” means the age of sixty years or such other age set out in written law or applicable policy;

(v) “spouse” and inserting therefor the following new definition—

"spouse" means a husband or a wife;

LONG TITLE

THAT the Bill be amended by deleting the long title and substituting therefor the following new long title—

AN ACT of Parliament to provide for a contributory pension scheme for members of county assemblies; establish a county assemblies pensions fund for the payment or granting of pensions or retirement benefits to members of county assemblies; and for connected purposes.

E.*THE NATIONAL DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY BILLS NO. 24 OF 2023)**

(The Senate Majority Leader)

- i. NOTICE is given that the Chairperson, Senate Standing Committee on National Security, Defence and Foreign Relations, intends to move the following amendments to the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023), at the Committee Stage —**

CLAUSE 6

THAT Clause 6 of the Bill be amended by deleting subclause (2) and substituting therefor, the following new subclause –

(2) The Authority shall collaborate with the County Disaster Risk Management Committees in all counties in the discharge of its functions.

CLAUSE 7

THAT Clause 7 of the Bill be amended by inserting the following new paragraphs immediately after paragraph (m) —

- (ma) develop climate change adaptation strategies to prevent, respond and mitigate the effects of disasters arising as a result of climate change;
- (mb) carry out and coordinate national damage and loss assessment in respect to disasters;
- (mc) carry out bi-annual national drill exercises as part of disaster risk management preparedness.

CLAUSE 9

THAT Clause 9(1) of the Bill be amended in paragraph (f) by deleting the word “Governors” appearing immediately after the words “Council of” and substituting therefor the words “County Governors or a representative designated in writing”.

CLAUSE 10

THAT clause 10 of the Bill be amended in subclause (2) by deleting paragraph (g).

CLAUSE 27

THAT clause 27(1) of the Bill be amended in the introductory clause by inserting the words “in consultation with County Governments” immediately after the words “The Authority shall”.

CLAUSE 28

THAT clause 28 of the Bill be amended in subclause (1) by inserting the following new paragraph immediately after paragraph (d) —

- (c) develop a national multi-hazard early warning system and guidelines for its implementation.

CLAUSE 29

THAT clause 29 of the of the Bill be amended in subclause (8) by inserting the words “in consultation with the Council of County Governors” immediately after the words “Cabinet Secretary shall”.

CLAUSE 32

THAT clause 32(1) of the Bill be amended –

- (a) by deleting paragraph (b);
- (b) in paragraph (c) by inserting the words “in collaboration with the County Disaster Risk Management Centers,” immediately before the word “formulate”;
- (c) in paragraph (h) by inserting the words “in collaboration with the County Disaster Risk Management Centre and the Authority,” immediately after the word “oversee”; and
- (d) in paragraph (m) by inserting the words “and the respective county assembly” immediately after the words “to the Authority”.

NEW CLAUSES

THAT the Bill be amended by inserting the following new clauses immediately after clause 41—

Establishment of the Disaster Management Fund. Cap 412A.

41A. (1) There is established the Disaster Risk Management Fund which shall be administered in accordance with section 24 of the Public Finance Management Act.

(2) The Director-General of the Authority shall be the administrator of the Fund.

...../Notice of Amendments

Sources of the Fund

41B. The Fund shall consist of —

- (a) such moneys as may be appropriated by the National Assembly;
- (b) grants or donations for the purposes of the Fund;
- (c) income generated from the proceeds of the Fund; and
- (d) any moneys accruing to or received by the Fund from any other lawful source, as may be approved by the Cabinet Secretary for the time being responsible for finance.

Objects of the Fund

41C. The Fund shall —

- (a) be utilized towards the provision of funds for disaster prevention, preparedness, mitigation, response and recovery measures;
- (b) provide a common basket for receipt and disbursement of funds for disaster management;
- (c) support capacity development of county governments and other institutions mandated with disaster management;
- (d) support agencies dealing with early warning systems for disaster management;
- (e) support the implementation of programmes, projects or activities to further the objectives of this Act; and
- (f) support any other purpose approved by the Board that would enhance the development and promotion of prudent disaster management in the country.

Consolidation of Public funds related to disaster management

41D. All public funds established for the purpose of disaster management prior to the commencement of this Act shall be consolidated into the Fund, except funds —

- (a) established to support institutions created under an Act of Parliament; or
- (b) established by county governments.

Tax Exemptions on Disaster Management Assistance.	41E The Cabinet Secretary responsible for finance may, by regulation, exempt all materials, articles, goods or equipment intended for the use of disaster management activities from import duty, value added tax, demurrage charges, port charges and any other tax as may be determined.
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CLAUSE 2

THAT the Bill be amended in clause 2 by inserting the following new definition immediately after the definition of the words “climate change” —

“climate change adaptation” means adjustments to ecological, social or economic systems in response to actual or expected climatic impacts, in order to moderate potential damages or to benefit from opportunities associated with climate change.

ii. NOTICE is given that Sen. Mohammed Chute, intends to move the following amendments to the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023), at the Committee Stage —

CLAUSE 3

THAT clause 3 of the Bill be amended by inserting the following new paragraphs immediately after paragraph (b) –

- (ba) provide for appropriate and dignified assistance and relief to victims and casualties of disasters;
- (bb) promote inclusiveness and a multidisciplinary and multisectoral approach to disaster management.

CLAUSE 4

THAT clause 4 of the Bill be amended by deleting paragraph (e) and substituting therefor the following new paragraph —

- (e) the national values and principles of governance under Article 10 of the Constitution.

CLAUSE 52

THAT clause 52 of the Bill be amended –

- (a) by deleting the heading to Part VII and substituting therefor the following new heading –

PART VII – MISCELLANEOUS PROVISIONS

- (b) in subclause (2) by inserting the following new paragraph immediately after paragraph (h) —

- (ha) protection of emergency responders during emergency and disaster response.

NEW CLAUSES

THAT the bill be amended by inserting the following new clauses immediately after clause 52—

Amendment to
Cap. 412A.

52A. The Public Finance Management Act is amended –

- (a) in section 2 by inserting the following new definitions in their proper alphabetical order –

- “emergency” has the meaning assigned to it under section 2 of the National Disaster Risk Management Act; and

- “Disaster” has the meaning assigned to it under section 2 of the National Disaster Risk Management Act;

- (b) in section 110 by –

- (i) deleting the word “may” appearing immediately after the words “Executive Committee” and substituting therefor the word “shall” in the marginal note; and

(ii) deleting the word “may” appearing immediately after the words “Executive Committee” and substituting therefor the word “shall” in subsection (1);

(c) in section 112 by deleting subsection (2) and substituting therefor the following new subsection –

(2) For the purposes of subsection (1), there is an urgent and unforeseen need for expenditure if –

(a) the expenditure is required to respond to an emergency or disaster in accordance with the National Disaster Risk Management Act;

(b) the emergency or disaster could not have been foreseen through the normal planning and budgeting process; and

(c) delay in making the expenditure would result in significant harm to life and property.

(d) in section 113 by –

(i) renumbering the existing provision as subsection (1); and

(ii) inserting the following new subsection immediately after subsection (1) –

(2) Notwithstanding subsection (1), the County Executive Committee member may, in order to effectively respond to an emergency or disaster and with the approval of the county assembly, exceed the limit prescribed under subsection (1) provided that —

(a) the total payment does not exceed five percent of the total county government revenue as shown in that county government’s audited financial statements for the previous financial year; and

...../Notice of Amendments

(b) the additional amount is used solely for emergency or disaster response and recovery.

CLAUSE 2

THAT clause 2 of the Bill be amended by inserting the following definitions in their proper alphabetical order –

“emergency” means an actual or imminent situation that arises suddenly, poses immediate threat to life, health, property, environment, infrastructure, economic stability or public order and that –

- (a) requires prompt coordinated action to protect life and property and restore essential services;
- (b) may be caused by natural, technological, human-induced, health or industrial incidents; and
- (c) exceeds normal response capabilities requiring multi-agency intervention;

“emergency responder” refers to a person involved in an organized response to a potential, actual or impending emergency, including but not limited to firefighters, police officers, emergency medical personnel, county government emergency management personnel, national government emergency management personnel, military personnel or an officer of a recognized humanitarian organization dealing with disaster response.

F. *THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2022)**

(The Senate Majority Leader)

NOTICE is given that, the Chairperson to the Standing Committee on Land, Environment and Natural Resources, intends to move the following amendments to the Land (Amendment) Bill (National Assembly Bills No. 40 Of 2022), at the Committee Stage —

CLAUSE 3

THAT clause 3 of the Bill be amended in the introductory phrase to the proposed sub-section (16) by inserting the words “publish a notice in the *Gazette* specifying the particulars of the registration and” immediately after the words “the Registrar shall”.

APPENDIX

1. PAPER

The Environmental Management and Co-ordination (Strategic and Integrated Environmental Assessments and Environmental Audits) (No. 2) Regulations, Legal Notice No. 71 of 2025.

(The Senate Majority Leader)

2. QUESTIONS AND STATEMENTS

a) Statements Pursuant to Standing Order 53 (1)

- i) Nominated Senator (Sen. Esther Okenyuri, MP) to seek a Statement from the Standing Committee on Education regarding the termination of funding for the postgraduate scholarship programme by the National Research Fund and the German Academic Exchange Service (DAAD) for Kenyan students in Germany.
- ii) The Senator for Kisumu County (Sen. (Prof.) Tom Ojienda, SC, MP) to seek a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the welfare of Kenyan fishermen operating in Lake Victoria and the state of fish farming in Kenya.
- iii) Nominated Senator (Sen. Raphael Chimera, MP) to seek a Statement from the Standing Committee on Justice, Legal Affairs and Human Rights regarding the cancellation of one hundred and seventy one (171) vacancies declared by the Judicial Service Commission (JSC).

NOTICE PAPER

Tentative Business for Thursday, April 10, 2025

(Published pursuant to Standing Order 43 (1))

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Thursday, April 10, 2025.

A. BILLS AT THE SECOND READING STAGE

- i) *THE SPORTS (AMENDMENT) (NO.2) BILL (SENATE BILLS NO. 45 OF 2024)
(Sen. (Prof.) Tom Ojienda, MP and Sen. Raphael Chimera, MP)
- ii) *THE OFFICE OF THE COUNTY ATTORNEY (AMENDMENT) BILL (SENATE BILLS NO. 47 OF 2024)
(Sen. David Wafula Wakoli, MP)
- iii) *THE COUNTY GOVERNMENTS LAWS (AMENDMENT) BILL (SENATE BILLS NO. 52 OF 2024)
(Sen. Kathuri Murungi, MP)

B. MOTIONS

- i) REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO PERSONAL SECURITY CONCERNS RAISED BY HON. PHILOMENA KAPKORY, DEPUTY GOVERNOR, TRANS NZOIA COUNTY
(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)
- ii) REPORTS OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO THE STATE OF MARKETS IN VIHIGA AND BUNGOMA COUNTIES ARISING FROM A STATEMENT SOUGHT BY SEN. GODFREY OSOTSI, MP AND SEN. DAVID WAKOLI, MP
(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)
- iii) PROGRESS REPORT OF THE STANDING COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION INTO AN INQUIRY ON THE DIVERSITY AND INCLUSIVITY IN THE STAFF COMPOSITION OF STATE AGENCIES IN KENYA
(The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)
- iv) REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE COUNTY OVERSIGHT AND NETWORKING ENGAGEMENTS TO TAITA TAVETA, MOMBASA AND KWALE COUNTIES
(The Chairperson, Standing Committee on Health)

...../Notice Paper

- v) REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE INSPECTION TOUR OF HEALTH FACILITIES IN WEST POKOT, TRANS NZOIA AND TURKANA COUNTIES
(The Chairperson, Standing Committee on Health)
