

# REPUBLIC OF KENYA



## TWELFTH PARLIAMENT

### THE NATIONAL ASSEMBLY - (SECOND SESSION)

#### COMMUNICATION FROM THE CHAIR (No. 55 of 2018)

#### GUIDE ON THE CONSIDERATION OF TWO SENATE BILLS

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##### **Honourable Members,**

As you may recall, on October 16, 2018, I conveyed to the House a Message from the Senate regarding the Office of the County Attorney Bill (Senate Bill No. 3 of 2018) and the County Boundaries Bill (Senate Bill No. 6 of 2017). As a reminder, the Office of the County Attorney Bill is seeking to provide for the functions and powers of the County Attorney, and the discharge of duties and the exercise of powers of the County Attorney. On the other hand, the County Boundaries Bill seeks to provide a mechanism for the resolution of county boundary disputes; to give effect to Article 188 of the Constitution by providing for the procedure for alteration of county boundaries, and to provide for the establishment of an independent county boundaries commission, as well as defining the exact boundaries of each county.

##### **Honourable Members,**

Following First Reading of the two Bills on October 17, 2018, I did forward the Bills to the technical offices pursuant to Standing Order 143(2) which provides that-

*“Following First Reading, the Speaker shall, within reasonable time, pronounce his or her **opinion** contemplated under Article 114(2) of the Constitution.”*

Now therefore, having received a brief on the matter from the relevant offices, I have made the following determination on the two Senate Bills:-

- (i) The Office of the County Attorney Bill (Senate Bill No. 3 of 2018) **does not** fall within the meaning of a “Money Bill.” As such, it may proceed for Second Reading in the same manner as a Bill originating in the National Assembly as provided for under Standing Order 143(3). This Bill therefore stands referred to the Departmental Committee on Justice and Legal Affairs for consideration.
  
- (ii) The County Boundaries Bill (Senate Bill No. 6 of 2017) **is** a “Money Bill” within the meaning of Article 114 of the Constitution. It therefore stands referred to the Budget and Appropriations Committee for consideration and advice on the manner in which the House ought to proceed with this Bill, pursuant to provisions of Articles 109(5) and 114 of the Constitution, as read together with Standing Order 143.

**Honourable Members,** the House is thus accordingly guided.

**I thank you!**

**THE HON. JUSTIN B.N. MUTURI, EGH, MP**  
**SPEAKER OF THE NATIONAL ASSEMBLY**  
**Tuesday, November 13, 2018**