



**REPUBLIC OF KENYA**

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**THE SENATE**

**PROGRAMME OF SENATE BUSINESS**

**WEEK COMMENCING TUESDAY, SEPTEMBER 19, 2023**

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**\* 13<sup>TH</sup> PARLIAMENT \* 2<sup>ND</sup> SESSION**

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REPUBLIC OF KENYA

THE SENATE

THIRTEENTH PARLIAMENT - SECOND SESSION

PROGRAMME OF SENATE BUSINESS FOR THE WEEK  
COMMENCING TUESDAY, SEPTEMBER 19, 2023

TUESDAY                      Communication from the Chair, Messages, Petitions,  
19/09/2023                      Papers, Notices of Motion, Statements, Motions, and Bills.

**A. \*\*THE EQUALIZATION FUND APPROPRIATION BILL, (SENATE BILLS NO. 30 OF 2023)**

(The Chairperson, Standing Committee on Finance and Budget)

*(First Reading)*

**B. \*\*\*THE FOOD AND FEED SAFETY CONTROL COORDINATION BILL (NATIONAL ASSEMBLY BILLS NO. 21 OF 2023)**

(The Senate Majority Leader)

*(First Reading)*

**C. \*\*\*THE WATER (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 33 OF 2023)**

(The Senate Majority Leader)

*(First Reading)*

**D. \*THE PROMPT PAYMENT BILL (SENATE BILLS NO. 8 OF 2022)**

(Sen. Mariam Sheikh Omar, MP)

*(Second Reading)*

*(Resumption of debate interrupted on Tuesday, 23rd May, 2023)*

*(Division)*

**E. \*\*THE EQUALIZATION FUND (ADMINISTRATION) BILL (SENATE BILLS NO. 14 OF 2023)**

(The Chairperson, Standing Committee on Finance and Budget)

*(Second Reading)*  
*(Resumption of debate interrupted on Wednesday, 9<sup>th</sup> August, 2023 –  
Afternoon Sitting)*  
*(Division)*

**F. COMMITTEE OF THE WHOLE**

**\*THE LEARNERS WITH DISABILITIES BILL (SENATE BILLS NO. 4 OF 2023)**

(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)

**(Resumption of debate interrupted on 9<sup>th</sup> August, 2023)**  
*(Division)*

**G. \*\*\*THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS BILL (NATIONAL ASSEMBLY BILLS NO. 23 OF 2023)**

(The Senate Majority Leader)

*(Second Reading)*

**H. \*THE TEA (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2023)**

(Sen. Wakili Hillary Sigei, MP)

*(Second Reading)*

**I. \*THE KENYAN SIGN LANGUAGE BILL (SENATE BILLS NO. 9 OF 2023)**

(Sen. (Prof.) Margaret Kamar, MP and Sen. Crystal Asige, MP)

*(Second Reading)*

**J. \*\*THE COFFEE BILL (SENATE BILLS NO. 10 OF 2023)**

(The Chairperson, Standing Committee on Agriculture, Livestock and Fisheries)

*(Second Reading)*

**K. MOTION - REPORT OF THE 146<sup>TH</sup> ASSEMBLY OF THE INTER – PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS HELD IN MANAMA, KINGDOM OF BAHRAIN FROM 11<sup>TH</sup> TO 15<sup>TH</sup> MARCH, 2023.**

(Sen. Kathuri Murungi, MP)

**THAT**, the Senate notes the Report of the 146<sup>th</sup> Assembly of the Inter-Parliamentary Union (IPU) and Related Meetings, held in Manama, Kingdom of Bahrain, from 11<sup>th</sup> to 15<sup>th</sup> March, 2023, laid on the Table of the Senate on Tuesday 2<sup>nd</sup> May, 2023.

**L. MOTION - REPOSSESSION OF MOVABLE ASSETS BY LENDING INSTITUTIONS DUE TO NON-PERFORMING LOANS**

(Sen. Wahome Wamatinga, MP)

**THAT AWARE THAT** the high unemployment rate in Kenya has pushed many Kenyans to seek loans from Saccos, Microfinance Institutions and Banks to start Small and Medium Enterprises (SMEs) to sustain their livelihoods;

**NOTING THAT** the youth in particular have invested in movable assets, including vehicles and motorcycles, to start business in the transport industry and most of them have signed up to the ride hailing apps including but not limited to Uber, Taxify, Bolt and Little cab;

**COGNIZANT THAT** the Banking Act 2015 CAP 488 does not provide for renegotiation on the loan repayment agreement whenever the business environment becomes unfavorable as a result of the high cost of living, lowered earnings from the App providers and high interest rates;

**NOW THEREFORE** the Senate urges the National Treasury and Economic Planning to come up with a policy framework to review the Banking Act in order to renegotiate the repayment terms of the loans and provide cushion for Kenyans with non-performing loans and prevent the loss of their movable assets.

**M. Any Other Business**

**WEDNESDAY**

20/09/2023

(Morning Sitting)

**Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Questions, Motions, Bills and any other Business not concluded on Tuesday, 19<sup>th</sup> September, 2023.**

**A. QUESTIONS**

<b>QUESTION NO.</b>	<b>SENATOR</b>	<b>SUBJECT</b>	<b>MINISTRY</b>
<b>018</b>	Sen. James Lomenen, MP	Inaction of the Kenyan Government to hasten the release of the Turkana pastoralists arrested in Uganda	Foreign and Diaspora Affairs
<b>019</b>	Sen. George Mbugua, MP	Accessibility of health facilities and services to Persons With Disabilities (PWDs)	Health

**B. MOTION – REGULATION OF ELECTRONIC CIGARETTES IN KENYA**

(Sen. Catherine Mumma, MP)

**THAT, AWARE THAT** Section 68 (1) (b) of the Health Act, 2017 provides for interventions by the national government to reduce the use of tobacco and other addictive substances and to counter exposure of children and others to tobacco smoke, and Section 32 of the Tobacco Control Act, 2007 provides for the right of every person to a smoke free environment including the protection from exposure to second-hand smoke;

**CONCERNED THAT**, while the Tobacco Control Act, defines key terms and covers topics including, but not limited to, restrictions on public smoking, tobacco advertising, promotion and sponsorship, and packaging and labelling of tobacco products, Section 2 of the Act does not contemplate non tobacco products and therefore lacks restrictions on the use, advertising, promotion and sponsorship, or packaging and labelling of synthetic nicotine in the form of e-cigarettes resulting in the increase in popularity and consumption of e-cigarettes among the youth including minor children;

**NOW THEREFORE**, the Senate resolves that the Ministry of Health should urgently convene an all-inclusive stakeholder forum to:

1. Develop a national policy regulating e-cigarettes and all related elements, including vape pens, e-liquids, flavors and their marketing and advertising in mainstream media as well as social media; and
2. Establish rules to govern the production, sale, advertising and consumption of synthetic nicotine, and control the illicit trade of counterfeit products.

**C. MOTION - DESIGNATION OF A MONTHLY CAR FREE DAY AND COUNTY CAR FREE ZONES**

(Sen. Crystal Asige, MP)

**THAT AWARE THAT**, Kenyans have a right to a clean and healthy environment pursuant to Article 42 of the Constitution;

**NOTING THAT** the National Climate Change Action Plan identifies transportation as the fourth largest contributor to greenhouse gas emissions which

if uncontrolled, will result to negative impact of climate change that will adversely affect millions of Kenyans;

**CONCERNED THAT** the number of private vehicles has significantly grown leading to increased road accidents, carbon emission and vehicle congestion costs which are in excess of Kshs. 100 billion in GDP per year;

**NOW THEREFORE** the Senate urges the Ministry of Roads and Transport, in collaboration with the Council of Governors, and the National Climate Change Council to;

- i.) identify, publicize and execute suitable monthly car-free days and County car-free zones in urban areas;
- ii.) provide affordable, safe and efficient public transport including but not limited to development of Bus Rapid Transport (BRT) in the urban areas;
- iii.) encourage the use of electric hybrid buses and provide appropriate incentives for their use; and
- iv.) design an infrastructure that can support non – motorized transport facilities such as pedestrian and bicycle access within urban centers; and
- v.) ensure inter-modal connectivity among the various transport modes.

**D. MOTION – REPORT OF THE SENATE DELEGATION TO THE 67TH SESSION OF THE COMMISSION ON THE STATUS OF WOMEN (CSW 67) HELD IN NEW YORK, FROM 6<sup>TH</sup> TO 17<sup>TH</sup> MARCH 2023.**

(Sen. Fatuma Dullo, MP)

**THAT**, the Senate notes the Report of the Senate Delegation to the 67<sup>th</sup> Session of the Commission on the Status of Women (CSW) held in New York, from 6<sup>th</sup> to 17<sup>th</sup> March, 2023, laid on the Table of the Senate on Thursday, 29<sup>th</sup> June, 2023.

**E. Any Other Business**

**WEDNESDAY**

20/09/2023

(Afternoon Sitting)

**Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions, Bills and any other Business not concluded on Tuesday, 19<sup>th</sup> September, 2023.**

**A. COMMITTEE OF THE WHOLE**

**\*THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)**

(Sen. Crystal Asige, MP)

**B. COMMITTEE OF THE WHOLE**

**\*THE MUNG BEANS BILL (SENATE BILLS NO. 13 OF 2022)**

(Sen. Enoch Wambua, MP)

**C. COMMITTEE OF THE WHOLE**

**\*THE PERSONS WITH DISABILITIES BILL (SENATE BILLS NO. 7 OF 2023)**

(Sen. Crystal Asige, MP)

**D. \*THE COUNTY BOUNDARIES BILL (SENATE BILLS NO. 6 OF 2023)**

(Sen. Moses Kajwang' MP)

*(Second Reading)*

**E. \*THE CONSTITUTION OF KENYA (AMENDMENT) BILL (SENATE BILLS NO. 15 OF 2023)**

(Sen. Beth Syengo, MP)

*(Second Reading)*

**F. MOTION - ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE DEATH OF THE LATE EDWARD OTIENO ONYANGO DUE TO ALLEGED MEDICAL NEGLIGENCE**

(The Chairperson, Standing Committee on Health)

**THAT**, the Senate adopts the Report of the Standing Committee on Health on inquiry into the death of Late Edward Otieno Onyango, due to alleged medical negligence, laid on the table of the Senate on Wednesday, 31<sup>st</sup> May, 2023.

**G. MOTION- ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE DEATH OF THE LATE MAUREEN ANYANGO AT MAMA LUCY KIBAKI HOSPITAL DUE TO ALLEGED MEDICAL NEGLIGENCE**

(The Chairperson, Standing Committee on Health)

**THAT**, the Senate adopts the Report of the Standing Committee on Health on inquiry into the death of the late Maureen Anyango at Mama Lucy Kibaki Hospital due to alleged medical negligence, laid on the table of the Senate on Wednesday, 31<sup>st</sup> May, 2023.

**H. MOTION- ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE CIRCUMSTANCES THAT LED TO THE DEATH OF THE LATE MASTER TRAVIS MAINA AT KENYATTA NATIONAL HOSPITAL**

(The Chairperson, Standing Committee on Health)

**THAT**, the Senate adopts the Report of the Standing Committee on Health on inquiry into the circumstances that led to the death of the late Master Travis Maina at Kenyatta National Hospital, laid on the table of the Senate on Wednesday, 31<sup>st</sup> May, 2023.

## I. Any Other Business

**THURSDAY**                      Communication from the Chair, Messages, Petitions, Papers, Notices of Motion, Statements, Motions, Bills and any other Business not concluded on Wednesday, 20<sup>th</sup> September, 2023  
21/09/2023

**A. \*THE MATERNAL, NEWBORN AND CHILD HEALTH BILL (SENATE BILLS NO. 17 OF 2023)**

(Sen. Beatrice Ogolla, MP)

*(Second Reading)*

**B. \*THE RICE BILL (SENATE BILLS NO. 19 OF 2023)**

Sen. James Kamau Murango, MP

*(Second Reading)*

**C. \*THE CARE AND PROTECTION OF CHILD PARENTS BILL (SENATE BILLS NO. 29 OF 2023)**

(Sen. Miraj Abdillahi Abdulrahman, MP)

*(Second Reading)*

**D. MOTION – ADOPTION OF THE REPORT OF THE COMMITTEE OF POWERS AND PRIVILEGES ON THE INQUIRY, ON ITS OWN MOTION, INTO CONDUCT OF SENATOR GLORIA ORWOBA, MP AND TO ESTABLISH IF THE CONDUCT CONSTITUTED BREACH OF PARLIAMENTARY PRIVILEGE.**

(The Chairperson, Committee of Powers and Privileges)

**THAT**, the Senate adopts the Report of the Committee of Powers and Privileges on the inquiry, on its own motion, into conduct of Senator Gloria Orwoba, MP and to establish if the conduct constituted breach of Parliamentary Privilege, laid on the Table of the Senate on Wednesday, 9th August, 2023.

*(Resumption of debate interrupted on Thursday, 10<sup>th</sup> August, 2023)*

## E. Any Other Business



**TUESDAY**  
26/09/2023

Communication from the Chair, Messages, Petitions, Papers,  
Notices of Motion, Statements, Motions and Bills.

**A. \*\*\*\*THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (SENATE BILLS NO. 22 OF 2023)**

(The Senate Majority Leader)

*(Second Reading)*

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

(The Chairperson, Standing Committee on Labour and Social Welfare)

*(Second Reading)*

**C. \*THE PREVENTION OF LIVESTOCK AND PRODUCE THEFT BILL (SENATE BILLS NO.12 OF 2023)**

(Sen. Samson Cherarkey, MP)

*(Second Reading)*

**D. MOTION - DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER AND ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**

(Sen. William Cheptumo, MP)

**THAT AWARE THAT**, cattle rustling is a major menace and security threat in the South and North Rift regions and some other regions of the country;

**CONCERNED THAT**, the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children, poverty, displacement of people leading to Internally Displaced Persons (IDPS), disruption of educational programs and other economic activities owing to the destruction and/or closure of educational, health and other institutions;

**FURTHER CONCERNED THAT**; the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution;

**NOW THEREFORE**, the Senate resolves that the National Government through the Ministry of Interior and National Administration and in collaboration with the Council of Governors:

1. Declares cattle rustling a National Disaster;
2. Establish a National Task force on cattle rustling to:
  - (i) Investigate the causes of the rampant cattle rustling in the said region and the Country at large;
  - (ii) Establishes extent of loss and damage the cattle rustling has occasioned to the communities in all the affected Counties;
3. Create a special fund for mitigating the losses suffered by and in compensating all victims of cattle rustling and settle all internally displaced persons occasioned by the menace.

**E. Any Other Business**

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**KEY**

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

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

**\*\* - Denotes a Committee Bill**

**\* - Denotes any other Bill**