



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

ORDER PAPER

THURSDAY, APRIL 10, 2025 AT 2.30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. **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 Wednesday, 9th April, 2025 –
Afternoon Sitting)
(Question to be put)***

9. **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)*

10. ***THE ENERGY (AMENDMENT) BILL (SENATE BILLS NO. 42 OF 2023)**
(Sen. Edwin Sifuna, MP)

(Third Reading)

*(Resumption of debate interrupted on Wednesday, 9th April, 2025 –
Afternoon Sitting)
(Division)*

11. ***THE COUNTY PUBLIC FINANCE LAWS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2023)**
(Sen. Kathuri Murungi, MP)

(Third Reading)

*Resumption of debate interrupted on Wednesday, 9th April, 2025 –
Afternoon Sitting)
(Division)*

12. ***THE COUNTY ASSEMBLY SERVICES (AMENDMENT) BILL (SENATE BILLS NO. 34 OF 2023)**
(Sen. Mohamed Chute, MP)

(Third Reading)

*Resumption of debate interrupted on Wednesday, 9th April, 2025 –
Afternoon Sitting)
(Division)*

13. ******THE COUNTY ASSEMBLIES PENSIONS SCHEME BILL (SENATE BILLS NO. 14 OF 2024)**
(The Senate Majority Leader)

(Third Reading)

*Resumption of debate interrupted on Wednesday, 9th April, 2025 –
Afternoon Sitting)
(Division)*

14. ****THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2022)**
(The Senate Majority Leader)

(Third Reading)

...../Motions

*Resumption of debate interrupted on Wednesday, 9th April, 2025 –
Afternoon Sitting)
(Division)*

15. **MOTION - 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)

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the allegations on personal security concerns raised by Hon. Philomena Kapkory, Deputy Governor, Trans Nzoia County laid on the Table of the Senate on Tuesday, 1st October, 2024.

16. **MOTION - 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)

THAT, the Senate adopts 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 statements sought by Sen. Godfrey Osotsi, MP, and Sen. David Wafula Wakoli, MP laid on the Table of the Senate on Tuesday, 1st October, 2024.

17. **MOTION - 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)

THAT, the Senate adopts 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, laid on the Table of the Senate on Thursday, 3rd October, 2024.

18. **MOTION - 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)

...../Motions

THAT, the Senate adopts the Report of the Standing Committee on Health on the County Oversight and Networking Engagements to Taita Taveta, Mombasa and Kwale Counties, laid on the Table of the Senate on Thursday, 5th December, 2024.

19. **MOTION - 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)

THAT, the Senate adopts the Report of the Standing Committee on Health on the inspection tour of health facilities in West Pokot, Trans Nzoia and Turkana Counties, laid on the Table of the Senate on Thursday, 5th December, 2024.

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

(Sen. (Prof.) Tom Ojienda, MP and Sen. Raphael Chimera, MP)

(Second Reading)

21. ***THE OFFICE OF THE COUNTY ATTORNEY (AMENDMENT) BILL (SENATE BILLS NO. 47 OF 2024)**

(Sen. David Wafula Wakoli, MP)

(Second Reading)

22. ***THE COUNTY GOVERNMENTS LAWS (AMENDMENT) BILL (SENATE BILLS NO. 52 OF 2024)**

(Sen. Kathuri Murungi, MP)

(Second Reading)

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

NOTICE OF AMENDMENTS*****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).

...../Notice of Amendments

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. **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.
Cap 412A.

(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.

...../Notice of Amendments

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.

APPENDIXQUESTIONS AND STATEMENTS**a) Statement Pursuant to Standing Order 52 (1)**

The Senator for Nyandarua County (Sen. John Methu, MP) to make a Statement regarding the World Autism Day and Month.

b) Statement Pursuant to Standing Order 53 (1)

The Senator for Isiolo County (Sen. Fatuma Dullo, MP) to seek a Statement from the Standing Committee on Labour and Social Welfare regarding the status of employment of Chief Officers in Isiolo County.

c) Statement Pursuant to Standing Order 57 (1)

The Senate Majority Leader to issue a statement on the business of the Senate for the week commencing Tuesday, 15th April, 2025.

NOTICE PAPER

Tentative Business for Tuesday, April 15, 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 Tuesday, April 15, 2025.

A. BILLS AT THE SECOND READING STAGE

- i) *THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)
(Sen. Miraj Abdillahi Abdulrahman, MP)
- ii) *THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)
(Sen. Johnes Mwaruma, MP)
- iii) *THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 49 OF 2023)
(Sen. Lenku Ole Kanar Seki, MP)
- iv) *THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2024)
(Sen. Kathuri Murungi, MP)
- v) *THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 3 OF 2024)
(Sen. Ledama Olekina, MP and Sen. William Kisang, MP)
- vi) *THE COUNTY STATISTICS BILL (SENATE BILLS NO. 5 OF 2024)
(Sen. Ali Ibrahim Roba, MP)
- vii) *THE PROVISION OF SANITARY TOWELS BILL (SENATE BILLS NO. 7 OF 2024)
(Sen. Gloria Orwoba, MP)
- viii) *THE COUNTY WARDS (EQUITABLE DEVELOPMENT) BILL (SENATE BILLS NO. 20 OF 2024)
(Sen. Karungo Thangwa, MP and Sen. Godfrey Osotsi, MP)
- ix) *THE SPORTS (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2024)
(Sen. Edwin Sifuna, MP)

B. BILLS AT COMMITTEE OF THE WHOLE STAGE

- i.) *THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2023)
(Sen. Eddy Oketch, MP)

...../Notice Paper

- ii.) **THE LOCAL CONTENT BILL (SENATE BILLS NO. 50 OF 2023)
(The Chairperson, Standing Committee on Energy)
 - iii.) *THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)
(Sen. Esther Anyieni Okenyuri, MP)
 - iv.) *THE CO-OPERATIVE SOCIETIES (AMENDMENT) BILL (SENATE BILLS NO. 53 OF 2023)
(Sen. Mariam Sheikh Omar, MP)
 - v.) ****THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILLS NO. 36 OF 2024)
(The Senate Majority Leader)
 - vi.) **THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)
(The Chairperson, Standing Committee on Labour and Social Welfare)
 - vii.) *THE COUNTY LIBRARY SERVICES BILL (SENATE BILLS NO. 40 OF 2024)
(Sen. Joyce Korir, MP)
 - viii.) ****THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 10 OF 2024)
(The Senate Majority Leader and the Senate Minority Leader)
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