



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FIFTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, JUNE 16, 2026 AT 2.30 P.M.

1. The Senate assembled at thirty Minutes past Two O'clock.
2. The proceedings were opened with Prayer said by the Speaker.

3. **QUORUM OF THE SENATE**

The Speaker, having counted the Honourable Senators present at the commencement of the Sitting and confirming that there was no Quorum, directed that the Bell be rung for ten minutes, pursuant to Standing Order 40;

And there being a Quorum before the expiry of the ten minutes;

The Speaker invited the Clerk to call the Orders of the day.

4. **COMMUNICATION FROM THE CHAIR - RESULTS OF THE DIVISION ON THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2024)**

The Speaker conveyed the following Communication from the Chair:

“Honourable Senators,

As you may recall, during the afternoon sitting of the Senate held on Wednesday, 10th June, 2026, several Divisions were undertaken. The Temporary Speaker (Sen. Wakili Hillary Sigei, MP) subsequently announced the results. Among these, was the Division on the Narcotic Drugs and Psychotropic Substances (Control) (Amendment) Bill (Senate Bills No. 1 of 2024). The results of the division on the Bill were declared as twenty-one (21) “Ayes”, five (5) “Noes”, and zero (0) “Abstentions”. The Bill was consequently declared lost for failure to attain the requisite support of at least twenty-four (24) county delegations, as required pursuant to Article 123(4)(c) of the Constitution.

Following the announcement of these results, the Senator for Nandi County (Sen. Samson Cherarkey, MP) rose on a Point of clarification and stated as follows-

“.....I needed clarity on Order No.10, which is the Narcotic Drugs and Psychotropic Substances (Control) (Amendment) Bill (Senate Bills No.1 of 2024).....By the time we were voting on this matter, the display on the screen on Order No.10 indicated that 24 Senators had voted and it was highlighted in green that the Bill was passed. However, when you announced the results, those of us who supported this Bill are surprised that you declared that the vote was lost.”

Honourable Senators will further recall that the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) undertook to review the Division list and issue a ruling on the matter at a later time.

Honourable Senators,

As you are all aware, pursuant to Article 123(4)(a) of the Constitution and Standing Order 83 of the Senate Standing Orders, voting in the Senate on Bills and other matters affecting counties is undertaken by county delegations, with each county delegation having one vote. A Nominated Senator may only vote on such matters in the absence of the head of the delegation and upon express designation by the head of that delegation. Currently, there are 13 delegations with more than one (1) Senator namely; Kwale, Homa Bay, Lamu, Samburu, Uasin Gishu, Nyandarua, Mombasa, Kisii, Mandera, Kajiado, Nairobi, Bungoma and Bomet Counties.

The provisions of Article 123(4)(a) and Standing Order 83 are clear with respect to the voting rights of Nominated Senators. It is therefore unclear why the concerned Nominated Senators participated in the Division in the absence of proper designation by their respective heads of delegation, and in one instance, notwithstanding the presence of the head of delegation in the Chamber at the time.

Honourable Senators,

Standing Order 90 states as follows-

“If, after an electronic or a roll call vote has been made, it is discovered that the number has been inaccurately reported or that an error has occurred in the names on the division lists, that fact shall be reported to the Senate and the Speaker shall direct that the necessary correction be made.”

Pursuant to the said Standing Order, the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) directed the Clerks at the Table to expunge the invalid votes by the five (5) Nominated Senators. Consequently, he announced the corrected results as twenty-one (21) “Ayes”, five (5)

“Noes”, and zero (0) “Abstentions”. This was indeed the correct position on the results of the division after the necessary corrections were made.

Honourable Senators,

During the same Sitting, the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) directed the Clerk to undertake an audit of the other five (5) Divisions. The audit revealed that some Nominated Senators had erroneously cast votes in those Divisions. However, the anomaly in respect of four (4) out of the five (5) Divisions had been identified and rectified before the announcement of the results, with the names of the concerned Senators being crossed out from the Division Lists, as was the case for the Narcotic Drugs and Psychotropic Substances (Control) (Amendment) Bill (Senate Bills No. 1 of 2024). Accordingly, the audit ascertained that the results announced in respect of the following Bills were accurate and in order –

- i. the Statutory Instruments (Amendment) Bill (National Assembly Bills No. 3 of 2024);
- ii. the Autism Management Bill (Senate Bills No. 19 of 2025);
- iii. the Environmental Management and Coordination (Amendment) Bill (National Assembly Bills No. 66 of 2023); and
- iv. the mediated version of the Food and Feed Safety Control Coordination Bill (National Assembly Bills No. 21 of 2023).

With respect to the mediated version of the Division of Revenue Bill (National Assembly Bills No. 2 of 2026), an anomaly was identified. A Nominated Senator participated in the Division and cast a vote without having been designated by the head of her county delegation. In accordance with Standing Order 90, I have, therefore, directed the Office of the Clerk to make the necessary correction. The corrected results of the Division are; twenty- five (25) “Ayes”, zero (0) “Noes” and zero (0) “Abstentions”. This does not invalidate the outcome of the vote as the requisite number of county delegations was attained.

Honourable Senators,

In conclusion, the integrity of Divisions and the decisions of the Senate made pursuant to Article 123(4) of the Constitution are of paramount importance. I caution Nominated Senators against casting a vote on matters affecting counties without express authority from their heads of delegation. Further, I have directed the Office of the Clerk to liaise with the contractor for the Digital Congress System to ensure that only designated Senators are enabled to vote to eliminate discrepancies. The Clerks at the Table are also directed to always verify the accuracy of the Division lists before presenting them to the Chair for announcement of the results.

It is so ordered.”

5. **MESSAGE FROM THE NATIONAL ASSEMBLY – APPROVAL OF THE MEDIATED VERSION OF THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILLS NO. 2 OF 2026)**

The Speaker conveyed the following Message from the National Assembly:

“Honourable Senators,

I wish to report to the Senate that, pursuant to Standing Order 46 (3), I have received the following Message from the Speaker of the National Assembly regarding the approval by the National Assembly of the Mediated version of the Division of Revenue Bill (National Assembly Bills No. 2 of 2026).

The Message, dated Thursday, 11th June, 2026 was received in the Office of the Clerk of the Senate on the same date.

Pursuant to Standing Order 46 (4), I now report the Message –

“WHEREAS, the National Assembly considered and rejected the Senate amendments to the Division of Revenue Bill (National Assembly Bills No. 2 of 2026) on Tuesday, 26th May 2026, following which the Bill was committed to a Mediation Committee pursuant to Article 113(1) of the Constitution;

AND WHEREAS, on Tuesday, 2nd June 2026, the National Assembly and the Senate, respectively, appointed Members to a Mediation Committee to develop a mediated version of the said Bill;

FURTHER WHEREAS, in accordance with the provisions of Article 113(2) of the Constitution and Standing Order 150, the National Assembly considered and approved the mediated version of the Division of Revenue Bill (National Assembly Bills No. 2 of 2026) on Wednesday, 10th June 2026, in the form agreed to by the Mediation Committee on the Bill;

NOW THEREFORE, in accordance with the provisions of Article 113 of the Constitution and Standing Order 150 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate. ”

Honourable Senators,

As you are aware, the Senate on Wednesday, 10th June, 2026 approved the mediated version of the Bill in the form agreed to by the Mediation Committee and has since transmitted the Message to the National Assembly. Accordingly, the Bill was presented to His Excellency the President yesterday, Monday 15th June, 2026 and was assented to.

I thank you.”

6. **PETITION - REGULATORY INTERVENTION TO SAVE FAMILY HEALTH OPTIONS KENYA (FHOK)**

Pursuant to Standing Order 236 (2)(b), the Speaker reported a Petition to the Senate a Petition by Ms. Martha Adundo and other former employees of Family Health Options Kenya (FHOK), formerly Family Planning Association of Kenya (FPAK), requesting regulatory intervention to save Family Health Options Kenya (FHOK). Pursuant to Standing Order 238 (1), the Speaker committed the Petition to the Standing Committee on Health for consideration.

7. **PAPERS LAID**

The following Papers were laid on the Table of the Senate: -

- i) The Controller of Budget (COB) Report on the National Government Budget Implementation Review for the first nine months for financial year 2025/2026.

(The Senate Majority Leader)

- ii) The Report of Standing Committee on Finance and Budget Committee on consideration of the County Allocation of Revenue Bill (Senate Bills No. 10 of 2026)

(The Chairperson, Standing Committee on Finance and Budget)

8. **QUESTIONS AND STATEMENTS**

Requests for Statement pursuant to Standing Order 53 (1)

The Senator for Embu County (Sen. Alexander Mundigi, MP) sought a Statement from the Standing Committee on Agriculture, Livestock and Fisheries regarding the introduction of a 0.8% levy on tea buyers pegged on auction value.

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

Order for Second Reading read;

Motion made and Question proposed;

THAT, the County Governments Additional Allocations Bill (Senate Bills No. 8 of 2026) be now read a Second Time.

(The Senate Majority Leader – 10.06.2026 – Afternoon Sitting)

Debate interrupted on Wednesday, 10th June, 2026, Afternoon Sitting resumed at Division;

The Speaker directed that electronic voting be taken, pursuant to Standing Order 86 (2), and that the Division bell be rung for five minutes;

Upon the expiry of the five minutes, the Speaker directed that the doors be locked and the bars drawn and asked Senators to log-in for electronic voting;

And the Speaker having ascertained that there was Quorum, pursuant to Standing Order 42 (1);

The Speaker put the Question and directed Senators to cast their votes by pressing either the “Yes”, “No” or “Abstain” button;

Before the results of the Division were announced and pursuant to provisions of Standing Order 86 (5), the Speaker allowed one (1) Senator to record her vote verbally.

Thereupon, **Sen. Ogolla Beatrice Akinyi, MP**, on behalf of the Homa Bay County Delegation, recorded her vote as “Yes”.

The results of the Division were as follows:

AYES – 28

NOES – 0

ABSTENTION – 0

AYES

1. Sen. Abass Sheikh Mohamed, MP
2. Sen. Adan Dullo Fatuma, MP
3. Sen. Cheburet Kiprono Chemitei, MP
4. Sen. Cherarkey Samson, MP
5. Sen. Cheruiyot Aaron Kipkirui, MP
6. Sen. Chesang’ Allan Kiprotich, MP
7. Sen. Ekomwa James Lomenen, MP
8. Sen. Haji Abdul Mohammed, MP
9. Sen. Ogolla Beatrice Akinyi, MP – voted verbally on behalf of the Homa Bay County Delegation
10. Sen. Kamau Joseph Githuku, MP
11. Sen. Kathuri Murungi, MP
12. Sen. Kisang William Kipkemoi, MP
13. Sen. Maanzo Daniel Kitonga, MP
14. Sen. Madzayo Stewart Mwachiru, MP
15. Sen. Mogeni Erick Okong’o, MP
16. Sen. Mundigi Alexander Munyi, MP
17. Sen. Mungatana Danson Buya, MP
18. Sen. Muthama Agnes Kavindu, MP
19. Sen. Nderitu John Kinyua, MP
20. Sen. Nyutu Joe, MP
21. Sen. Oketch Eddy Gicheru, MP
22. Sen. Osotsi Godfrey Atieno, MP
23. Sen. Roba Ali Ibrahim, MP
24. Sen. Seki Lenku Ole Kanar, MP

- 25. Sen. Sifuna Edwin Watenya, MP
- 26. Sen. Wafula David Wakoli, MP
- 27. Sen. Wakili Hillary Kiprotich Sigei, MP
- 28. Sen. Wambua Enoch Kiio, MP

Question, agreed to.

Bill read a Second Time and committed to the Committee of the Whole, tomorrow.

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

Order for Second Reading read;

Motion made and Question proposed;

THAT, the County Allocation of Revenue Bill (Senate Bills No. 10 of 2026), be now read a Second Time.

(The Chairperson, Standing Committee on Finance and Budget)

Debate arising;

And the time being thirty minutes past six O'clock, Temporary Speaker (Sen. Wakili Hillary Kiprotich Sigei, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

11. **SENATE ROSE** – at thirty minutes past Six O'clock.

MEMORANDUM

*The Speaker will take the Chair on
Wednesday, June 17, 2026 at 9:30 a.m.*

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