



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FIFTH SESSION)

THE SENATE

VOTES AND PROCEEDINGS

TUESDAY, APRIL 21, 2026 AT 2:30 PM

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

3. **QUORUM OF THE SENATE**

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

4. **COMMUNICATIONS FROM THE CHAIR**

The Deputy Speaker conveyed the following Communications from the Chair:

a) Resumption of Sittings of the Senate for Part II of the Fifth Session

“Honourable Senators,

I take this opportunity to welcome you back from the recess. I hope that you had time to meet with your constituents, friends and families over the Easter Holiday. I also hope that you took some time to rest and rejuvenate your spirits for the resumption of regular sittings. Part II of the Fifth Session commences today and will run until the rise of the Senate on Thursday, 14th May, 2026.

Honourable Senators,

As is evident from today's Order Paper and the Programme of Business for the week, the Senate resumes its sittings with an already full plate. There are several Bills scheduled for Second Reading and Committee of the Whole, as well as Motions on various matters, which need to be dispensed with.

In order to ensure the timely consideration and conclusion of House business, I urge all Honourable Senators to accord priority to plenary sittings by coming into the Chamber early and sitting through the proceedings so that progress can be made on the business scheduled in the Order Paper. In particular, respective Movers are required to be present in the Chamber and ready to prosecute their business whenever listed in the Order Paper of the day. Similarly, I urge the Majority and Minority Party Whips to diligently execute

their responsibilities so as to ensure that the requisite number of delegations is achieved to undertake divisions when due.

I also urge Honourable Senators to accord the same priority to committee sittings so as to facilitate the timely conclusion of business pending before the select committees of the Senate.

Honourable Senators,

On my part, and in consultation with the Senate Leadership, I shall continue to implement measures aimed at enhancing the expeditious conclusion of business in the Senate. These measures will include the enforcement of time limits on Questions and Statements, as well as the allocation of time for Motions in accordance with the Standing Orders and the Sessional Orders made on 11th February, 2026.

Honourable Senators,

In conclusion, I wish to reiterate that the Office of the Speaker remains open and accessible to all Senators for consultations and support in fulfilling your duties. I wish you fruitful deliberations during Part II of the Fifth Session.

I thank you.”

b) Benchmarking visit by the Portfolio Committee on Social Development of the Limpopo Legislature in South Africa

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a visiting delegation of Honourable Members and officers of the Portfolio Committee on Social Development of the Limpopo Legislature in South Africa accompanied by Mr. Ernest Kgopa, the Charge D’Affaires (Acting High Commissioner) of South Africa to Kenya. The delegation is undertaking a benchmarking visit focusing on gender-based violence and femicide related interventions with the Standing Committee on Labour and Social Welfare of the Senate.

I request each Member of the delegation to stand when called out so that you may be acknowledged in the Senate tradition –

1. Mr. Ernest Kgopa - Charge D’Affaires (Acting High Commissioner)
2. Hon. S.M. Mathe Chairperson
3. Hon. C. M. Mohale Member
4. Hon. G. R. Monama Member
5. Hon. C.W.D Malebana Member
6. Hon. D.A. Nenguda Member
7. Hon. K. Lebea Member
8. Hon. M. S. Shai Member
9. Hon. M. A. Magolo Member
10. Hon. M. J. Sebothoma Member
11. Ms. L. Kgomo Deputy Secretary
12. Ms. J. Mogashoa Coordinator
13. Ms. F. Mosotho Researcher

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|-------------------------|-------------------------------|
| 14. Mr. J. Kgoale | Legal Advisor |
| 15. Mr. S. More | Communication Services |
| 16. Ms. R. Legodi | Protection Officer |
| 17. Ms. E. Mohlapamaswi | Protocol Officer |
| 18. Mr. M.E. Machete | Assistant to Hon. C.M. Mohale |

On behalf of the Senate and on my own behalf, I extend a warm welcome to you to the Senate and wish you a fruitful visit.

I thank you.”

c) Visiting members of the *Mumbi Nyakinyua na Thingira* Committee

“Honourable Senators,

I would like to acknowledge the presence, in the Speaker’s Gallery this afternoon, of a delegation of visiting members of the *Mumbi Nyakinyua na Thingira* Committee. The delegation is in the Senate on a courtesy call to Sen. Karen Nyamu, MP.

I request each Member of the Committee to stand when called out so that you may be acknowledged in the Senate tradition –

- | | |
|--------------------------------|-------------------------------|
| 1. Tabitha Mutero | Chairlady, Kasarani |
| 2. Edith Nge'ndo | Vice Chairlady Embakasi West |
| 3. Agnes Nyambura | Secretary, Kasarani |
| 4. Julia Nyambura | Chairperson, Westlands |
| 5. Nancy Ann Muriithi | Treasurer, Starehe |
| 6. Lucy Gichimbiri | Chairperson, Roysambu |
| 7. Susan Kamiti | Chairperson, Embakasi Central |
| 8. Lucy Wanjiku Waweru | Chairperson, Dagoreti North |
| 9. Ann Wambui Gichau | Chairperson, Ruaraka |
| 10. Josephine Wanjiku Muthioro | Chairperson, Dagoreti South |
| 11. Mary Moi | Chairperson, Mathare |
| 12. Saida Khadija Muhia | Muslim leader |
| 13. Margaret Wamaitha | Member, Dagoreti North |
| 14. Anne Njeri Waweru | Member |
| 15. Naomi Wamboi Nderitu | Member |
| 16. Mary Mumbi Murua | Chairperson, Embakasi South |
| 17. Linnah Mumbi Gichiki | Chairperson, Langata |
| 18. Jane Njeri Mukora | Chairperson, Embakasi East |
| 19. Nancy Wanjira Njeri | Member |
| 20. Florence Wamboi Ndungu | Member |
| 21. Martha Njambi | Chairperson, Kibra |
| 22. Rebecca Nyambura | Member |
| 23. Hannah Waweru | Member |
| 24. Esther Kariuki | Chairperson, Makadara |
| 25. Damaris Mukami | Chairperson, Kamukunji |
| 26. Wajudy | Chairperson, Embakasi North |
| 27. Bonface Macharia Mboo | Office clerk |

On behalf of the Senate and on my own behalf, I extend a warm welcome to you and wish you a fruitful visit.

I thank you.”

5. **MESSAGE FROM THE NATIONAL ASSEMBLY – PASSAGE, BY THE NATIONAL ASSEMBLY, OF THE MEDIATED VERSION OF THE FOOD AND FEED SAFETY CONTROL COORDINATION BILL (NATIONAL ASSEMBLY BILLS NO. 21 OF 2023)**

The Deputy 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 received the following Message from the Speaker of the National Assembly regarding the passage, by the National Assembly, of the Mediated Version of the Food and Feed Safety Control Coordination Bill (National Assembly Bill No. 21 of 2023).

The Message, dated 14th April, 2026, was received in the Office of the Clerk of the Senate on Wednesday, 16th April, 2026, while the Senate was on recess.

Pursuant to Standing Order 46(5), I now report the Message –

“PURSUANT to the provisions of Standing Order 41(1) and 150(4)(b) of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the Food and Feed Safety Control Coordination Bill (National Assembly Bill No. 21 of 2023) was published vide Kenya Gazette Supplement No. 75 of May 24, 2023, was considered and passed by the National Assembly on 23rd August 2023 and thereafter referred to the Senate for consideration in accordance with the provisions of Article 110(4) of the Constitution,

AND WHEREAS, the Senate considered and passed the Bill with amendments which upon reconsideration by the National Assembly, were rejected on Tuesday, 8th October 2024, following which the Bill was committed to a Mediation Committee appointed pursuant to Article 113(1) of the Constitution;

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 Food and Feed Safety Control Coordination Bill (National Assembly Bill No. 21 of 2023) on Tuesday, 7th April 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(4)(b) of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate.”

I thank you.”

6. **PAPERS LAID**

The following papers were laid on the table of the Senate:

- i) Auditor-General’s Summary Report on County Governments for Financial Year 2024/2025.

- ii) Office of the Director of Public Prosecutions (ODPP) Annual Report for Financial Year 2024/2025.
- iii) Auditor-General’s Performance Audit Report on provision of Early Childhood Education and Development (ECED) by the County Government of Kilifi.
- iv) The Commission on Administrative Justice (CAJ) Bi-Annual Report for the period January to June, 2025.

(The Senate Majority Leader)

- v) Report of the Standing Committee on Roads, Transportation and Housing on its consideration of the National Construction Authority (Amendment) Bill (Senate Bills No.15 of 2025).

(Sen. (Dr.) Steve Lelegwe, MP on behalf of the Chairperson, Standing Committee on Roads, Transportation and Housing)

- vi) Report of the Standing Committee on Health on the County Oversight and Networking Engagements in Bungoma and Kakamega Counties.

(Sen. Ledama Olekina, MP on behalf of the Chairperson, Standing Committee on Health)

7. **NOTICE OF MOTION – REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE COUNTY OVERSIGHT AND NETWORKING ENGAGEMENTS IN BUNGOMA AND KAKAMEGA COUNTIES**

(Sen. Ledama Olekina, MP on behalf of the Chairperson, Standing Committee on Health)

THAT, the Senate adopts the Report of the Standing Committee on Health on the County Oversight and Networking Engagements in Bungoma and Kakamega Counties, laid on the Table of the Senate on Tuesday, 21st April, 2026.

8. **QUESTIONS AND STATEMENTS**

a) Statement pursuant to Standing Order 52(1)

The Senator for Narok County (Sen. Ledama Olekina, MP) made a Statement regarding the Senate’s constitutional mandate to safeguard devolution through accountability and protection of public resources from mismanagement. The Senator observed that leadership was a sacred trust and cautioned that Governors must not treat county budgets as personal wealth. In that regard, he stressed that accountability was not optional and that every Governor bears direct and personal responsibility for the proper management of resources allocated to his or her county.

The Senator further argued that county governments receive and spend public funds as distinct entities and must, therefore, account for those funds individually. He criticized collective positions taken through the Council of Governors, stating that such an approach could not shield individual Governors from scrutiny. He emphasized that the refusal by

Governors to appear before the Senate weakens constitutional checks and balances, distorts the principles of devolution, and undermines public trust in county governance.

In conclusion, the Senator warned that continued defiance of Senate oversight could have serious consequences, including resistance to the passage of critical instruments such as the Division of Revenue Bill and the County Allocation of Revenue Bill. He maintained that devolution could only succeed where transparency, responsibility and respect for constitutional oversight were upheld and called on Governors to submit to Senate scrutiny.

b) Requests for Statements pursuant to Standing Order 53 (1)

- i) The Senator for Nandi County (Sen. Samson Cherarkey, MP) sought a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the conduct, financing, outcomes and overall impact of the *Jukwaa la Usalama* forum and engagements conducted across the country under the initiative.
- ii) The Senator for Busia County (Sen. Andrew Omtatah Okoiti, MP) sought a Statement from the Standing Committee on Land, Environment and Natural Resources regarding the environmental governance failure and the destruction of critical ecosystems in Kenya.
- iii) The Senator for Busia County (Sen. Andrew Omtatah Okoiti, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding the restructuring and implementation of the Voluntary Early Retirement (VER) Programme at the Kerio Valley Development Authority (KVDA).
- iv) The Senator for Tharaka Nithi County (Sen. Mwenda Gataya Mo Fire, MP) sought a Statement from the Standing Committee on Education regarding the status of mental health and psychological support services in Kenyan learning institutions.
- v) The Senator for Tharaka Nithi County (Sen. Mwenda Gataya Mo Fire, MP) sought a Statement from the Standing Committee on Education regarding the operational status of Tharaka Technical and Vocational College in Tharaka Nithi County.
- vi) Nominated Senator (Sen. Crystal Asige, MP) sought a Statement from the Standing Committee on Labour and Social Welfare regarding Kenya's preparedness to host the 2027 Africa Cup of Nations (AFCON).
- vii) The Senator for Marsabit County (Sen. Mohamed Chute, MP) sought a Statement from the Standing Committee on Labour and Social Welfare concerning the construction of an amphitheatre in Loiyangalani in Marsabit County by the Bomas of Kenya.
- viii) The Senator for Kitui County (Sen. Enoch Wambua, MP) sought a Statement from the Standing Committee on Justice, Legal Affairs and Human Rights regarding the status of the ongoing mass voter registration drive.
- ix) The request for a Statement by nominated Senator (Sen. Hamida Kibwana, MP) from the Standing Committee on Justice, Legal Affairs and Human Rights regarding the integration of civic education in the ongoing voter

registration exercise in the country was deferred on the request by the Senator.

- i) The request for a Statement by the Senator for Nyandarua County (Sen. John Methu, MP from the Standing Committee on Energy regarding the current fuel situation in the country was dropped in the absence of the Senator.

c) Personal Statement pursuant to Standing Order 58

Nominated Senator (Sen. Karen Nyamu, MP) made a personal Statement regarding her coronation as the Patron of the *Mumbi Nyakinyua na Thingira* Committee, Nairobi Chapter.

9. **MOTION – IMPLEMENTATION OF RECOMMENDATIONS BY SELECT COMMITTEES ON COUNTY PUBLIC ACCOUNTS (CPAC) AND COUNTY PUBLIC INVESTMENTS AND SPECIAL FUNDS (CPI&SF) ON AUDITOR GENERAL REPORTS FOR FY 2024/2025**

(Sen. Ledama Olekina, MP)

AWARE THAT, Article 96(1) and (3) of the Constitution mandates the Senate to represent counties, protect their interests, and oversee national revenue allocated to county governments; and that Article 229(8) and the Public Audit Act require Parliament to debate audit reports and act within three months;

CONCERNED THAT, despite repeated invitations and summons, fifteen county governors defied the Select Committees on CPAC and CPI&SF by refusing to appear and answer for financial mismanagement and accountability failures in the Auditor General's FY 2024/25 reports;

APPRECIATING THAT, CPAC and CPI&SF diligently interrogated the Auditor General's issues, filed reports within constitutional timelines, and secured Senate approval on 31st March 2026;

NOTING THE urgent need for rigorous follow-up on these recommendations and ongoing Senate oversight of implementation;

NOW THEREFORE, notwithstanding Standing Order 225, THE SENATE RESOLVES that the Select Committees on CPAC and CPI&SF immediately:

1. Track implementation of the Senate-approved recommendations and table monthly progress reports detailing compliance status;
2. Fast-track the next audit cycle by prioritizing Auditor General reports on county financial statements for the year ended 30th June 2026, tabling committee reports promptly to enable thorough Senatorial scrutiny;
3. Enforce fiduciary accountability by re-summoning non-compliant county governors, recommending sanctions for defiance (including budget withholding under Article 229), and escalating unresolved cases to the Controller of Budget, Ethics and Anti-Corruption Commission, or Director of Public Prosecutions as appropriate;

4. Collaborate with oversight bodies—Controller of Budget, EACC, and DPP—to impose consequences under Chapter Six (Leadership and Integrity) for governors' failure to appear, including contempt charges, suspension of county equitable share, personal liability for losses, and disqualification from future electoral candidacies.

(Resumption of debate interrupted on Thursday, 2nd April, 2026)

Order deferred.

10. **MOTION - REPORT OF THE PROCEEDINGS OF THE ARTIFICIAL INTELLIGENCE (AI) CONFERENCE ON THE ROLE OF PARLIAMENT IN SHAPING THE FUTURE OF RESPONSIBLE AI HELD FROM 28TH TO 30TH NOVEMBER, 2025 IN KUALA LUMPUR, MALAYSIA**

Order read;

Motion made and Question proposed;

THAT, the Senate notes the Report of the Proceedings of the Artificial Intelligence (AI) Conference on the role of parliament in shaping the future of responsible AI held from 28th to 30th November, 2025 in Kuala Lumpur, Malaysia, laid on the Table of the Senate on Tuesday, 24th February, 2026.

(Sen. Enoch Wambua, MP – 25.03.2026 (Morning Sitting))

Debate interrupted on Thursday 26th March, 2026 resumed for Mover to reply;

Mover replied;

Before the Question was put, and pursuant to Standing Order No. 84 (2), the Deputy Speaker ruled that the Motion does not affect counties;

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

Question put and agreed to.

RESOLVED ACCORDINGLY

THAT, the Senate notes the Report of the Proceedings of the Artificial Intelligence (AI) Conference on the role of parliament in shaping the future of responsible AI held from 28th to 30th November, 2025 in Kuala Lumpur, Malaysia, laid on the Table of the Senate on Tuesday, 24th February, 2026.

11. **THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2024)**
(The Senate Majority Leader)

(Second Reading)

(Resumption of debate interrupted on Tuesday, 10th March, 2026)
(Division)

Order deferred.

12. **THE PUBLIC AUDIT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 4 OF 2024)**

(The Senate Majority Leader)

(Second Reading)

***(Resumption of debate interrupted on Wednesday, 18th March, 2026
– Afternoon Sitting)***

(Division)

Order deferred.

13. **THE HEALTH (AMENDMENT) BILL (SENATE BILLS NO. 12 OF 2025)**

(Sen. Erick Okong'o Mogeni, MP)

(Second Reading)

***(Resumption of debate interrupted on Wednesday, 18th March, 2026
– Afternoon Sitting)***

(Division)

Order deferred.

14. **THE AGRICULTURE PRODUCE (MINIMUM GUARANTEED RETURNS) BILL (SENATE BILLS NO. 17 OF 2025)**

(Sen. Veronica Maina, MP)

(Second Reading)

***(Resumption of debate interrupted on Wednesday, 25th March, 2026
– Afternoon Sitting)***

(Division)

Order deferred.

15. **THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO.2 OF 2026)**

(The Senate Majority Leader)

(Second Reading)

Order deferred.

16. **MOTION – MAINSTREAMING GENDER PERSPECTIVES IN LEGISLATIVE AND POLICY PROCESSES**

Order read;

Motion made and Question proposed;

THAT AWARE THAT, Article 27 of the Constitution of Kenya guarantees the right to equality and freedom from discrimination, with Article 27(3) providing that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres;

FURTHER AWARE that Article 27(8) obligates the State to take legislative and other measures to redress any disadvantage suffered by individuals or groups as a result of past discrimination, and to ensure that not more than two-thirds of members of elective or appointive bodies shall be of the same gender;

COGNIZANT THAT mainstreaming gender perspectives in all aspects of governance is essential to achieving inclusive development and safeguarding the rights and welfare of all citizens, particularly women, girls and other marginalized groups;

CONCERNED THAT the integration of gender considerations remain inconsistent across the two levels of government and that legislative processes have often resulted to policies that do not adequately address gender-specific needs and realities;

NOW, THEREFORE, the Senate:

- i) urges Parliament, County Assemblies and their respective legislative committees to incorporate a gender analysis in the scrutiny of legislation, policies, programmes and budgets before them, including through the use of gender impact assessments and consultation with gender-focused stakeholders to ensure gender-responsive governance;
- ii) recommends that the National Gender and Equality Commission and the State Department for Gender develops clear guidelines and tools to support the integration of gender perspectives in legislative, policy and budgetary analysis, and ensures these are disseminated and adopted by relevant government and legislative bodies;
- iii) further urges the National Gender and Equality Commission and State Department for Gender to collaborate with the Kenya Law Reform Commission, and County Assembly Service Boards to build capacity for gender analysis among technical and legislative staff;
- iv) urges the State Department for Gender to submit to Parliament a comprehensive biannual report detailing actions taken by Ministries, Departments and Agencies to promote gender mainstreaming, key achievements, emerging challenges, and proposed interventions; and
- v) resolves that the Standing Committee on Labour and Social Welfare continuously monitor the implementation of these resolutions and tables biannual report on the status of implementation.

(Sen. Veronica Maina, MP)

Debate arising;

Raising a point of order pursuant to Standing Order 110(1) the Nominated Senator (Sen. Peris Tobiko, MP) claimed to move-

“That, the debate be now adjourned”.

And the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) acceding to the claim;

Motion made and Question proposed;

“THAT, the debate be now adjourned”

(Sen. Peris Tobiko, MP)

Before the Question was put and pursuant to Standing Order 84(1), the Temporary Speaker (Sen. Wakili Hillary Sigei, MP) ruled that the Question does not affect counties.

Question put and agreed to.

- 17. **MOTION – REPORT OF THE STANDING COMMITTEE ON HEALTH ON A PETITION TO THE SENATE BY THE KENYA UNION OF CLINICAL OFFICERS (KUCO) REGARDING ALLEGED DISCRIMINATION, INTERFERENCE AND VIOLATION OF CLINICAL OFFICERS’ PRACTICE RIGHTS BY THE MINISTRY OF HEALTH, THE COUNCIL OF GOVERNORS AND THE SOCIAL HEALTH AUTHORITY**

Order read;

Motion made;

THAT, the Senate adopts the Report of the Standing Committee on Health on a Petition to the Senate by the Kenya Union of Clinical Officers (KUCO) regarding alleged discrimination, interference and violation of Clinical Officers’ practice rights by the Ministry of Health, the Council of Governors and the Social Health Authority, laid on the Table of the Senate on Wednesday, 1st April, 2026.

(The Vice- Chairperson, Standing Committee on Health)

And the time being thirty minutes past Six O’clock, the Temporary Speaker (Sen. Veronica Maina, MP) interrupted the proceedings and adjourned the Senate without Question put, pursuant to the Standing Orders.

- 18. **SENATE ROSE** – at thirty minutes past Six O’clock.

M E M O R A N D U M

*The Speaker will take the Chair on
Wednesday, April 22, 2025 at 9:30 am*