THIRTEENTH PARLIAMENT

THE SENATE

OFFICIAL REPORT



Fifth Session

Wednesday, 24th November, 2026 at 2.30 p.m.

PARLIAMENT OF KENYA

THE SENATE

THE HANSARD

Tuesday, 24th November, 2026

The House met at the Senate Chamber,
Parliament Buildings at 2.33 p.m.

[The Deputy Speaker (Sen. Kathuri) in the Chair]

PRAYER

DETERMINATION OF QUORUM
AT COMMENCEMENT OF SITTING

The Deputy Speaker (Sen. Kathuri): Clerk, do we have quorum?

(The Clerk-at-the-Table consulted with the Deputy Speaker)

Serjeant-at-Arms, ring the Quorum Bell for 10 minutes.

(The Quorum Bell was rung)

The Deputy Speaker (Sen. Kathuri): Order, Senators! Let us now start serious business.

Clerk, read out the first Order.

Proceed, Senate Majority Leader.

PAPERS

REPORTS OF THE AUDITOR GENERAL ON FINANCIAL
STATEMENTS OF VARIOUS ENTITIES

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Deputy Speaker, Sir. I beg to lay the following Papers on the Table of the Senate today, Tuesday, 24th November, 2026-

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Report of the Auditor General on the Performance Audit on provision of Early Childhood Development and Education (ECDE) by the Nairobi City County Government.

Report of the Auditor General on Second Kenya Informal Settlements Improvement Project (KISIP 2) (Credit No.67590–KE) - County Government of Nyeri for the year ended 30th June, 2024.

Report of the Auditor General on Second Kenya Informal Settlements Improvement Project (KISIP 2) (Credit No.67590–KE) - County Government of Nyeri for the year ended 30th June, 2025.

Report of the Auditor General on Second Kenya Informal Settlements Improvement Project (KISIP 2) (Credit No.67590–KE) - County Government of Nyeri for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Nyeri County Elimu Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Nyeri County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on National Agricultural Value Chain Development Project (NAVCDP) (IDA Credit No.7064-KE) - County Government of Nyeri for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Naromoru Water and Sanitation Company Limited - County Government of Nyeri for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Dekut Enterprises Company - County Government of Nyeri for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Tana Water Works Development Agency - County Government of Nyeri for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Busia County Education Support Scheme for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Busia County Agricultural Development Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Busia County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Busia County Assembly Revolving Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Busia County (Public Officers) Revolving Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Busia County Alcoholic Drinks Control Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Busia County Enterprise Development Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Busia Municipality for the year ended 30th June, 2026.

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Report of the Auditor General on financial statements of Murang'a County Government Equalisation Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Murang'a County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Murang'a County Referral Hospital - County Government of Murang'a for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kangema Sub-County Hospital - County Government of Murang'a for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Muriranja's Sub-County Hospital - County Government of Murang'a for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kandara Sub-County Hospital - County Government of Murang'a for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Municipality of Murang'a - County Government of Murang'a for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kenol Municipality - County Government of Murang'a for the year ended 30th June,2026.

Report of the Auditor General on Second Kenya Urban Support Programme (KUSP 2) Urban Institutional Grant (UIG) Murang'a and Kenol Municipalities - County Government of Murang'a for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kimbimbi Sub-County Hospital - County Government of Kirinyaga for the year ended 30th June, 2026.

Report of the Auditor General on Second Kenya Urban Support Programme (KUSP 2) – Urban Development Grant (UDG) (Project Grant: P17048) Kerugoya, Kutus Municipality – County Government of Kirinyaga for the year ended 30th June, 2026.

Report of the Auditor General on Second Kenya Devolution Support Programme (KDSP II) (Credit No. IDA-7447-KE) - County Government of Kirinyaga for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kwale County Assembly Members and Staff Loan Scheme Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kwale County Emergency Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kwale County Youth, Women and Persons with Disabilities Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kwale County Bursary and Scholarship Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kakamega County Assembly Loans and Mortgages Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kakamega County Alcoholic Drinks Control Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kakamega County Microfinance Corporation for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Mumias Municipality - County Government of Kakamega for the year ended 30th June, 2026.

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Report of the Auditor General on financial statements of Kisii County Emergency Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kisii County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kisii County Loans and Mortgage Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kisii County Veterinary Services Development Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kisii County Demonstration Farm Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Taita Taveta County Climate Change Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Taita Taveta Investment and Development Corporation for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Taveta Water and Sewerage Company Limited for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Bungoma County Youth and Women Empowerment Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Bungoma County Trade Development Loan Fund for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Bungoma Municipality - County Government of Bungoma for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Kimilili Municipality - County Government of Bungoma for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Bumula Sub- County Hospital - County Government of Bungoma for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Runyenjes Sub-County Hospital - County Government of Embu for the year ended 30th June, 2026.

Report of the Auditor General on financial statements of Embu Water and Sanitation Services PLC - County Government of Embu for the year ended 30th June, 2026.

(Sen. Cheruiyot laid the documents on the Table)

The Deputy Speaker (Sen. Kathuri): Very well. Next, Order No.7.

QUESTIONS AND STATEMENTS

STATEMENTS

We have a few Statements under Standing Order No.53 (1).

(The Clerk-at-the-Table consulted with the Deputy Speaker)

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Hon. Senators, I want to rearrange the business this afternoon. We defer Order No. 7 and go to Order No.8. After that, we do divisions.

STALLED WATER PROJECTS IN THARAKA NITHI COUNTY

BALLOONING OF PENDING BILLS IN MIGORI COUNTY

COMPENSATION OF PERSONS AFFECTED BY THE NAIVASHA-KISUMU-MALABA STANDARD GAUGE RAILWAY

(Statements deferred)

The Deputy Speaker (Sen. Kathuri): Next Order.

MOTION

THANKS FOR THE PRESIDENTIAL ADDRESS

THAT, pursuant to Standing Order No. 27 (6), the Senate-

(a) Records its thanks for the exposition of public policy contained in the Address of His Excellency the President, delivered on Wednesday, 18th November 2026 and laid on the Table of the Senate on Thursday, 19th November 2026; and

(b) Notes the following Reports submitted by His Excellency the President in fulfilment of Articles 132 (1) (c) (1) and 240 (7) of the Constitution, laid on the Table of the Senate on Thursday, 19th November 2026-

i. Thirteenth Annual Report, 2025/2026 on measures taken and progress achieved in the realisation of National Values and Principles of Governance; and,

ii. The Annual Report to Parliament on the state of National Security.

(Sen.Veronica Maina on 19.11.26)

(Resumption of debate interrupted on 19.11.26)

(Question to be put)

Clerk, I hope we have quorum to put the question.

(Sen. (Dr.) Oburu walked into the Chamber)
(Loud consultations)

Order, Senators! Can you allow the youth leader to be seated?

(Loud consultations)

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(Sen. Githuku consulted loudly)

Order, Senator for Lamu. I thought the same rules apply in the county assemblies.

(Laughter)

(Question put and agreed to)

So, debate on Order No. 8 was concluded.
Next Order.

MOTION

ADOPTION OF REPORT ON MEDIATION ON THE COOPERATIVES BILL (NATIONAL ASSEMBLY BILLS NO.7 OF 2024)

THAT, the Senate adopts the Report of the Mediation Committee on the Cooperatives Bill (National Assembly Bills No. 7 of 2024), laid on the table of the Senate on Wednesday, 4th November, 2026; and that, pursuant to Article 113(2) of the Constitution and Standing Order 167(3) of the Senate, approves the mediated version of the Bill.

(Sen. Mandago on 4.11.2026 - Afternoon Sitting)

(Resumption of Debate interrupted on 4.11.2026)

(Division)

The Deputy Speaker (Sen. Kathuri): Serjeant-at-Arms, ring the Quorum Bell for five minutes.

(The Quorum Bell was rung)

Majority Leader, your work is not to ascertain quorum. Let me confirm from the Clerk whether we have quorum. Clerk, do we have quorum for the division?

(The Clerk-at-the-Table consulted with the Deputy Speaker)

I have confirmed we have quorum. Serjeant-at-Arms, close the doors and draw the bars.

(The Bars were drawn and the Doors closed)

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Order, Senators. We are going to the Division of the Mediation Committee on the Cooperatives Bill (National Assembly Bills No. 7 of 2024). I want to confirm that this matter affects counties so, we are going to the division through county delegations.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): Order, Sen. Cherarkey. Sen Wambua and Sen Catherine, sit on the Floor. It is okay.

If you are ready to vote, I think we can proceed. Sen. Mariam and Sen. Mbugua, you will vote for your delegations, we have that authority.

The Senator for Meru County will also vote because Meru is leading in cooperative movement. So, I might vote for this Cooperatives Bill. Somehow, the Clerk will facilitate me to vote accordingly.

DIVISION

ELECTRONIC VOTING

(Question, that the Senate adopts the Report of the Mediation Committee on the Cooperatives Bill (National Assembly Bills No. 7 of 2024), laid on the table of the Senate on Wednesday, 4th November, 2026; and that, pursuant to Article 113(2) of the Constitution and Standing Order 167(3) of the Senate, approves the mediated version of the Bill, put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang, Elgeyo-Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. (Prof.) Tom Odhiambo Ojienda SC, Kisumu County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County and Sen. Wamatinga, Nyeri County.

NOES: Sen. Maanzo, Makueni County and Sen. Wambua, Kitui County

The Deputy Speaker (Sen. Kathuri): Honorable Senators, these are the results of the division-

AYES: 26

NOES: 2

Abstentions: Nil

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(Question carried by 26 votes to 2)

(The Bill was Read a Second Time and committed to a Committee of the Whole)

The Deputy Speaker (Sen. Kathuri): Now we go to the next division.

BILL

Second Reading

THE SPORTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.5 OF 2026)

DIVISION

ELECTRONIC VOTING

(Question that, the Sports (Amendment) Bill (National Assembly Bill No.5 of 2026) be now read a Second Time, put and the Senate proceeded to vote by County Delegations)

The Deputy Speaker (Sen. Kathuri): Proceed and vote, Senators.

(Sen. Olekina stood in his place)

Order, Senators. Sen. Ledama Olekina, I saw you when I was on tour on duty in Narok. I do not want to cross your line.

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Chesang, Trans Nzoia County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. (Dr.) Oburu, Siaya County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County and Sen. Wambua, Kitui County.

NOES: Sen. Seki, Kajiado County.

Deputy Speaker (Sen. Kathuri): These are the results of the division-

Ayes: 29

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NOES: 1
Abstentions: Nil

(Question carried by 29 votes to 1)

(The Bill was read a Second Time and committed to a Committee of the Whole)

The Deputy Speaker (Sen. Kathuri): Next Order.
Sen. Sigei, approach the Chair for some serious consultations.
Call out the next Orders.

COMMITTEE OF THE WHOLE

THE REFERENDUM BILL (SENATE BILLS NO. 3 OF 2026)

THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION (AMENDMENT) BILL, (NATIONAL ASSEMBLY BILLS NO.66 OF 2023)

THE BUSINESS LAWS (AMENDMENT) BILL, (SENATE BILLS NO. 51 OF 2024)

THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2024)

THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL, (SENATE BILLS NO.4 OF 2025)

The Deputy Speaker (Sen. Kathuri): I did not request you to withdraw the Bars, kindly draw them because we are progressing the division under the Committee of the Whole.

(The Bars were drawn)

(Order for the Committee read)

[The Deputy Speaker (Sen. Kathuri) left the Chair]

IN THE COMMITTEE

[The Temporary Chairperson (Sen. Wakili Sigei) in the Chair]

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The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, you may now take your seats.

(Honorable Senators consulted loudly)

Order, Honourable Senators. We are going to division, on the Referendum Bill (Senate Bills No.3 of 2026).

(Sen. Cherarkey consulted loudly)

Order, Sen. Cherarkey!

We have already canvassed on all the clauses previously and we will go straight to division on the Referendum Bill (Senate Bills No. 3 of 2026).

Clerk, you may call out the clauses.

(Question, that Clauses 3, 4, 6, 7, 8, 9, 10 (JLAHRC Chair),10 (Sen. Omogeni), 11, 14 (JLAHRC Chair), 14, 11, 16, 17, 20, 22, 23, 24, 27, 30, 34, 36, 37, 38, 40, 41 and Clause 2 be amended as proposed, put and the Senate proceeded to vote by county delegations)

Hon. Senators, you may proceed to vote on the first division we have called out.

(Voting in progress)

Hon. Senators, those who have not voted, please, vote.

(Voting in progress)

Sen. Mundigi, please, approach the Chair so that you can be assisted to vote.

(Sen. Mundigi approached the Dispatch Box)

(Voting in progress)

The Temporary Chairperson (Sen. Wakili Sigei): Honourable Senators, we are proceeding to the second division. Clerk, please, call out the clauses.

I now proceed to put the question.

(Question that, Clause 3 (as amended), Clause 4 (as amended), Clause 5 and 6 (as amended), Clause 7 (as amended), Clause 8 (as amended), Clause 9 (as amended), Clause 10 (as amended), Clause 11 (as amended), Clause 12, 13, and 14 (as amended), Clause 15 and 16 (as amended), Clause 17 (as amended), Clauses 18, 19, 20 (as amended), Clauses 21 and 22 (as amended), Clause 23 (as amended), Clause 24 (as amended), Clause 25, Clause 26, and 27 (as amended), Clause 28, 29, and Clause 30 (as amended), Clause 31, 32, 33, and 34 (as amended), Clause 35, and 36 (as amended),

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Clause 37 (as amended), Clause 38 (as amended), Clause 39, and 40 (as amended), Clause 41 (as amended), Clause 42, the First Schedule, the Second Schedule, Clause 2 (as amended), the Title, and Clause 1 be part of the Bill, proposed)

Honourable Senators, you may now proceed to cast your vote.

(Voting in progress)

THE REFERENDUM BILL (SENATE BILLS NO.3 OF 2026)

DIVISION

ELECTRONIC VOTING

(Question that Clauses 3, 4, 6, 7, 8, 9, 10 (JLAHRC Chair), 10 (Sen. Omogeni), 11, 14 (JLAHRC Chair) and 14 be part of the Bill put and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and, Sen. Wambua, Kitui County.

NOES: Nil

ABSTENTIONS: Sen. Seki, Kajiado County.

The Temporary Chairperson (Sen. Wakili Sigei): Honorable Senators, the results of the division are as follows-

AYES: 28

NOES: Nil

ABSTENTIONS: 1

The "Ayes" have it.

(Question carried by 28 votes to Nil)

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THE REFERENDUM BILL (SENATE BILLS NO.3 OF 2026)

DIVISION

ELECTRONIC VOTING

(Question that Clauses 3 (as amended), 4 (as amended), 5, 6 (as amended), 7 (as amended), 8 (as amended) and 9 (as amended) be part of the Bill put and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Seki, Kajiado County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County and Sen. Wambua, Kitui County.

NOES: Nil

The Temporary Chairperson (Sen. Wakili Sigei): Honourable Senators, the results of the Division are as follows-

AYES: 29

NOES: Nil

ABSTENTIONS: Nil

The "Ayes" have it.

(Question carried by 29 votes to nil)

Honourable Senators, we are proceeding to the Committee of the Whole on the Environmental Management and Coordination (Amendment) Bill (National Assembly Bills No.66 of 2023).

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO.66 OF 2023)

Clerk, you may call the clauses.

(The-Clerk-at-the-Table consulted with the Temporary Chairperson)

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Honourable Senators, we are proceeding to division because we already canvassed on all the clauses.

I will put the Question.

(Question, that Clause 2, the Title and Clause 1 be part of the Bill, proposed)

Honourable Senators, you may proceed to vote.

(Voting in progress)

DIVISION

ELECTRONIC VOTING

(Question, that Clause 2, the Title and Clause 1 be part of the Bill put and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang, Elgeyo Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Seki, Kajiado County; Sen. Wafula, Bungoma County; Sen. Wamatinga, Nyeri County; Sen. Wakili Sigei, Bomet County and Sen. Wambua, Kitui County**.**

NOES: Nil

The Temporary Chairperson (Sen. Wakili Sigei): Honourable Senators, the results of the division are as follows-

AYES: 29

NOES: Nil

ABSTENTIONS: Nil

The "Ayes" have it.

(Question carried by 29 votes to Nil)

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THE BUSINESS LAWS (AMENDMENT) BILL
(SENATE BILLS NO.51 OF 2024)

Honourable Senators, next is consideration of National Assembly amendments to the Business Laws (Amendment) Bill (Senate Bills No.51 of 2024). You will recall that we already canvassed and went through all the clauses. Therefore, we will proceed directly to division. We will start with deletion of clauses.

I put the question, which is that the National Assembly amendments to delete clauses 3, 14 and 15 be approved.

(Question proposed)

Honourable Senators, you may proceed to cast your vote.

(Voting in progress)

Honourable Senators, if you have not voted, you have got less than 30 seconds to do so. Please, vote, those who have not voted.

(Voting in progress)

There is one more Member who has not voted. If you have not voted, please do vote.

Very well, we will move to the next one.

(The Clerk-at-the-Table consulted with the Temporary Chairperson)

Honourable Senators, we are proceeding to the second division, which is insertion of New Clauses.

I put the question, which is that the National Assembly amendments to insert New Clauses 25, 26, 27 and 28 be approved. Please proceed to vote.

(Voting in progress)

Honourable Senators, we will go to the last division of the National Assembly amendments to the Business Laws (Amendment) Bill (Senate Bills No.51 of 2024).

I put the question, which is that the National Assembly amendments to Clauses 2, 4, 5, 8, 10, 12, 13, 17, 19, 20, 22, 23 and 24 be approved. Proceed to vote.

(Voting in progress)

Those who have not voted, please vote. There is a Member who has not voted.

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(Voting in progress)

The Temporary Chairperson (Sen. Wakili Sigei): Deputy Speaker, please approach the Chair.

(Loud consultations)

THE BUSINESS LAWS (AMENDMENT) BILL
(SENATE BILLS NO. 51 OF 2024)

DIVISION

ELECTRONIC VOTING

(Question, that the National Assembly amendments to delete Clauses 3, 14 and 15 be approved put and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo' Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang', Elgeyo-Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County, Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Seki, Kajiado County; Sen. (Prof.) Tom Ojienda Odhiambo, SC, Kisumu County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County and Sen. Wambua, Kitui County.

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, we now have the results for the three Divisions.

For the first Division the results are as follows-

AYES: 29

NOES: Nil

ABSTENTIONS: Nil

(Question carried by 29 votes to Nil)

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DIVISION

ELECTRONIC VOTING

(Question, that the National Assembly amendments to insert New Clauses 25, 26, 27 and 28 be approved put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo' Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang', Elgeyo-Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County, Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Seki, Kajiado County; Sen. (Prof.) Tom Ojienda Odhiambo, SC, Kisumu County; Sen. Oketch-Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County and Sen. Wambua, Kitui County.

The Temporary Chairperson (Sen. Wakili Sigei): The results for the second Division are as follows-

AYES: 29
NOES: Nil
ABSTENTIONS: Nil

(Question carried by 29 votes to Nil)

DIVISION

ELECTRONIC VOTING

(Question, that the National Assembly amendments to Clauses 2, 4, 5, 8,10, 12, 13, 17, 19, 20, 22, 23 be approved put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang, Trans Nzoia County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo' Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang', Elgeyo-Marakwet County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County, Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana ,MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Seki, Kajiado

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County; Sen. (Prof.) Tom Ojienda Odhiambo SC, Kisumu County; Sen. Oketch-Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County and Sen. Wambua, Kitui County.

The Temporary Chairperson (Sen. Wakili Sigei): The results for the third Division are as follows-

AYES: 29
NOES: Nil
ABSTENTIONS: Nil

(Question carried by 29 votes to Nil)

(The Bill was read a Second Time and committed to a Committee of the Whole)

THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2024)

We may now move to The Culture Bill (National Assembly Bills No. 24 of 2024) because we have already canvassed all the clauses.

I put the question that clauses 5, 6 and 9 be amended as proposed.

Proceed to vote.

(Voting in progress)

Sen. Cherarkey and Sen. (Dr.) Lelegwe, have you voted?

Hon. Members, we now proceed to the second division on all clauses.

(Question that Clause 3, Clause 4, Clause 5 (as amended), Clause 6 (as amended), Clause 7, Clause 8, Clause 9 (as amended), Clause 10, Clause 11, Clause 12, Clause 13, Clause 14, Clause 15, Clause 16, Clause 17, Clause 18, Clause 19, Clause 20, Clause 21, Clause 22, Clause 23, Clause 24, Clause 25, Clause 26, Clause 27, Clause 28, Clause 29, Clause 30, Clause 31, Clause 32, Clause 33, the Schedule, Clause 2, the Title and Clause 1 be part of the Bill, proposed)

Hon. Senators, proceed to cast your vote.

(Voting in progress)

Sen. Kamau, you have 25 seconds to cast your vote.

Hon. Senators, there is someone who has not voted. If you have not voted, please vote.

Now, hon. Senators, we have the results on the two divisions on the Culture Bill as follows-

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First division:
AYES: 29
NOES: Nil
ABSENTIONS: Nil
The Ayes have it.

THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2024)

DIVISION

ELECTRONIC VOTING

(Question, that Clauses 5, 6 and 9 be amended as proposed put and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Dullo, Isiolo County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Elgeyo Marakwet County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang', Trans Nzoia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Seki, Kajiado County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Wafula, Bungoma County; Sen. Wamatinga, Nyeri County; Sen. Wambua, Kitui County; Sen. Wakili Sigei, Bomet County;

AYES: 29
NOES: Nil
ABSTENTIONS: Nil
The "Ayes" have it.

(Question carried by 29 votes to Nil)

The Temporary Chairperson (Sen. Wakili Sigei): On the second division, the results as follows-
AYES: 29
NOES: Nil
ABSENTIONS: Nil
The Ayes have it.

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DIVISION

ELECTRONIC VOTING

(Question, that Clauses 3,4, 5 (as amended), 6(as amended), 7, 8 be part of the Bill put and the Senate proceeded to vote by County Delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Dullo, Isiolo County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Elgeyo Marakwet County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang', Trans Nzoia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Seki, Kajiado County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Wafula, Bungoma County; Sen. Wamatinga, Nyeri County; Sen. Wambua, Kitui County; and, Sen. Wakili Sigei, Bomet County;

AYES: 29
NOES: Nil
ABSTENTIONS: Nil
The "Ayes" have it.

(Question carried by 29 votes to Nil)

(The Bill was read a Second Time and committed to a Committee of the Whole)

Now, hon. Senators, we are going to division on the Seeds and Plant Varieties (Amendment Bill) (Senate Bills No.4 of 2025), noting that we already canvassed all the clauses. We will proceed to division on all clauses.

I put the question that Clause 3, Clause 4, Clause 5, Clause 2, the Title and Clause 1 be part of the Bill.

Hon. Members, proceed to vote.

(Voting in progress)

Hon. Members who have not voted, please vote. We still have one Member who has not voted.

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THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL
(SENATE BILLS NO. 4 OF 2025)

DIVISION

ELECTRONIC VOTING

(Question, that Clause 3, Clause 4, Clause 5, Clause 2, the Title and Clause 1 be part of the Bill put and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Dullo, Isiolo County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Elgeyo Marakwet County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang', Trans Nzoia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Seki, Kajiado County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Wafula, Bungoma County; Sen. Wamatinga, Nyeri County; Sen. Wambua, Kitui County; and, Sen. Wakili Sigei, Bomet County;

AYES: 29
NOES: Nil
ABSTENTIONS: Nil
The "Ayes" have it.

(Question carried by 29 votes to Nil)

(The Bill was read a Second Time and committed to a Committee of the Whole)

Now, hon. Senators, we are proceeding to report on the Bills which have been considered at the Committee of the Whole. We will start with the Referendum Bill, (Senate Bills No.3 of 2026).

I call upon the Mover, Sen. (Prof.) Tom Ojienda, to move.

THE REFERENDUM BILL (SENATE BILLS NO.3 OF 2026)

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Hon. Chairperson, Sir, I beg to move that the Committee do report to the Senate its consideration of the Referendum Bill (Senate Bills No.3 of 2026), and its approval thereof with or without amendments.

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If I may go again - Hon. Chairperson, I beg to move that the Committee do report to the Senate its consideration of the Referendum Bill, (Senate Bills No.3 of 2026) and its approval thereof, with amendments.

The Temporary Chairperson (Sen. Wakili Sigei): Hon. Senators, I now proceed to put the question.

(Question proposed)

(Question put and agreed to)

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 66 OF 2023)

The Temporary Chairperson (Sen. Wakili Sigei): We will proceed to report on the Bill by the Committee of the Whole.

Mover, Sen. Crystal, you are being assisted.

(The Clerks-at-the-Table assisted Sen. Crystal Asige)

Sen. Crystal Asige: Mr. Temporary Chairperson, Sir, I beg to move that the Committee do report to the Senate its consideration of the Environmental Management and Coordination (Amendment) Bill (National Assembly Bills No.66 of 2023) and its approval thereof without amendments.

(Question proposed)

(Question put and agreed to)

THE BUSINESS LAWS (AMENDMENT) BILL (SENATE BILLS NO.51 OF 2024)

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, I beg to move that the Committee do report to the Senate its consideration of the National Assembly amendments to the Business Laws (Amendment) Bill (Senate Bills No.51 of 2024) and their approval thereof.

(Question proposed)

(Question put and agreed to)

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THE CULTURE BILL (NATIONAL ASSEMBLY
BILLS NO. 12 OF 2024)

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Chairperson Sir, I beg to move that the Committee of the Whole do report to the Senate its consideration of the Culture Bill (National Assembly Bills No. 12 of 2024) and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL
(SENATE BILLS NO. 4 OF 2025)

Sen. Olekina: Mr. Temporary Chairperson, Sir, I beg to move that the Committee do report to the Senate its consideration of the Seeds and Plant Varieties (Amendment) Bill (Senate Bills No.4 of 2025) and its approval thereof without amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[The Deputy Speaker (Sen. Kathuri) in the Chair]

The Deputy Speaker (Sen. Kathuri): Order, Senators. We are now in the reporting of the four Bills. We will start with the Referendum Bill (Senate Bills No.3 of 2026).

CONSIDERATION OF REPORTS

THE REFERENDUM BILL (SENATE BILLS NO.3 OF 2026)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the Referendum Bill (Senate Bills No.3 of 2026) and approved the same with amendments.

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said Report and request Sen. Cherarkey to second.

Sen. Cherarkey: Mr. Deputy Speaker, Sir, I second to my one and only law lecturer.

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(Question proposed)

(Question put and agreed to)

Sen. (Prof.) Tom Odhiambo Ojienda, SC: Mr. Deputy Speaker, Sir, I beg to move that the Referendum Bill (Senate Bills No. 3 of 2026) be now read a Third Time. Sen. Olekina, please, second.

Sen. Olekina: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): Division at the end.

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 66 OF 2023)

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered the Environmental Management and Coordination (Amendment) Bill (National Assembly Bills No.66 of 2023) and approved the same without amendments.

Sen. Crystal Asige: Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said report and request Sen. Haji to second.

Sen. Abdul Haji: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

Sen. Crystal Asige: I beg to move that the Environmental Management and Coordination (Amendment) Bill (National Assembly Bills No.66 of 2023 be now read a Third Time and request Sen. Haji to second.

Sen. Abdul Haji: I second.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): Division at the end.

THE BUSINESS LAWS (AMENDMENT) BILL (SENATE BILLS NO. 51 OF 2024)

The Deputy Speaker (Sen. Kathuri): Chairperson, we are now on the Business Laws (Amendment) Bill Senate Bill No.51 of 2024.

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Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered and approved the National Assembly amendments to the Business Laws (Amendment) Bill (Senate Bill No. 51 of 2024).

Thank you.

The Deputy Speaker (Sen. Kathuri): Proceed, mover.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered and approved the National Assembly amendments to the Business Laws (Amendment) Bill (Senate Bills No. 51 of 2024).

I beg to move that the House do agree with the Committee in the said Report.

I request Sen. Ledama Olekina to second.

Sen. Olekina: I beg to second.

(Question proposed)

(Question put and agreed to)

The Deputy Speaker (Sen. Kathuri): Hon. Senators, this Bill is not going to the Third Reading. Therefore, we have now concluded the consideration of the National Assembly amendments to the Business Laws (Amendment) Bill (Senate Bill No. 51 of 2024). So, there will be no Third Reading.

THE CULTURE BILL (NATIONAL ASSEMBLY BILL NO.12 OF 2024)

The Deputy Speaker (Sen. Kathuri): We are now on the Culture Bill, National Assembly Bill No.12 of 2024.

Proceed, Chairperson.

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered The Culture Bill, National Assembly Bill No.12 of 2024 and its approval thereof with amendments.

The Deputy Speaker (Sen. Kathuri): Mover.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee of the Whole in the said report.

I request Sen. Ledama to second.

Sen. Olekina: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

The Deputy Speaker (Sen. Kathuri): Mover?

The Senate Majority Leader (Sen. Cheruiyot): Mr. Speaker, Sir, I beg to move that The Culture Bill (National Assembly Bill No.12 of 2024) be now read a Third Time.

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I request Sen. Ledama to second.

Sen. Olekina: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): I put the question that the Culture Bill (National Assembly Bill No.12 of 2024) be now read a Third Time.

Division at the end.

THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL (SENATE BILLS NO. 4 OF 2025)

The Deputy Speaker (Sen. Kathuri): We have the last one on The Seeds and Plant Varieties (Amendment) Bill (Senate Bills No. 4 of 2025).

Sen. Wakili Sigei: Mr. Deputy Speaker, Sir, I beg to report that the Committee of the Whole has considered The Seeds and Plant Varieties (Amendment) Bill (Senate Bills No. 4 of 2025) and its approval thereof without amendments.

The Deputy Speaker (Sen. Kathuri): Mover?

Sen. Olekina: Mr. Deputy Speaker, Sir, I beg to move that the House do agree with the Committee in the said report.

I ask Sen. (Dr.) Lelegwe Ltumbesi to second.

Sen. (Dr.) Lelegwe Ltumbesi: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

(Question put and agreed to)

Sen. Olekina: Mr. Deputy Speaker, Sir, I beg to move that the Seeds and Plant Varieties (Amendment) Bill (Senate Bill No. 4 of 2025) be now read a Third Time.

I request Sen. (Dr.) Lelegwe Ltumbesi to second.

Sen. (Dr.) Lelegwe Ltumbesi: Mr. Deputy Speaker, Sir, I second.

(Question proposed)

The Deputy Speaker (Sen. Kathuri): I put the question that the Seeds and Plant Varieties (Amendment) Bill (Senate Bill No.4 of 2025) be now read a Third Time.

Confirm whether we have the numbers for the division.

Let us go to the first division. We are ready for the divisions, starting with the Referendum Bill Senate Bill No. 3 of 2026.

Proceed and vote, honourable Senators.

(Voting in progress)

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Let us move on to the next division on the Environmental Management and Co-ordination (Amendment) Bill National Assembly Bill No. 66 of 2023.

Honourable Senators, you can vote now.

(Voting in progress)

The Deputy Speaker: Hon. Senators, you can vote now.

(Voting in progress)

Sen. Fatuma Dullo, my good neighbour, approach the Table.

(Sen. Dullo walked to the Dispatch Box and voted)

Hon. Senators, let us go to the Culture Bill (National Assembly Bills No.12 of 2024).

Proceed to vote.

(Voting in progress)

(Loud consultations)

Order, Senators. Let us go to the last Division on the Seeds and Plant Varieties (Amendment) Bill (Senate Bills No.4 of 2025).

Proceed to vote.

(Voting in progress)

Hon. Senators, these are the results of the Division, starting with the Referendum Bill (Senate Bills No.3 of 2026).

THIRD READINGS

THE REFERENDUM BILL (SENATE BILLS NO.3 OF 2026)

DIVISION

ELECTRONIC VOTING

(Question, that the Referendum Bill (Senate Bills No.3 of 2026) be now read a Third Time, put and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Elgeyo

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Marakwet County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang', Trans Nzoia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Olekina, Narok County; Sen. Seki, Kajiado County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County and Sen. Wambua, Kitui County.

NOES: Sen. Oketch Gicheru, Migori County.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, these are the results of the Division-

AYES: 28
NOES: 1
ABSTENTIONS: Nil
The "Ayes" have it.

(Question carried by 28 votes to 1)

(The Bill was accordingly read a Third Time and passed)

Next is the result for the Division on the Environmental Management and Coordination (Amendment) Bill (National Assembly Bills No.66 of 2025).

On this, Sen. Daniel Maanzo voted manually. I did not call you to appear, but you voted manually.

THE ENVIRONMENTAL MANAGEMENT AND COORDINATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO.66 OF 2023)

DIVISION

ELECTRONIC VOTING

(Question, that the Environmental Management and Coordination (Amendment) Bill (National Assembly Bills No.66 of 2023) be now read a Third Time put and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang' , Elgeyo Marakwet County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang', Trans Nzoia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo,

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Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Seki, Kajiado County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and Sen. Wambua, Kitui County.

NOES: Nil

The Deputy Speaker (Sen. Kathuri): Hon. Senators, these are the results of the Division.

AYES: 29
NOES: Nil
ABSTENTIONS: Nil
The "Ayes" have it.

(Question carried by 29 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO.12 OF 2024)

DIVISION

ELECTRONIC VOTING

(Question, that the Culture Bill (National Assembly Bills No.12 of 2024) be now read a Third Time put, and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Elgeyo Marakwet County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang', Trans Nzoia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Seki, Kajiado County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and Sen. Wambua, Kitui County.

NOES: Nil

The Deputy Speaker (Sen. Kathuri): Hon. Senators, these are the results of the Division.

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AYES: 29
NOES: Nil
ABSTENTIONS: Nil
The "Ayes" have it.

(Question carried by 29 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL
(SENATE BILLS NO.4 OF 2025)

DIVISION

ELECTRONIC VOTING

(Question, that the Seeds and Plant Varieties (Amendment) Bill (Senate Bills No.4 of 2025) be now read a Third Time put, and the Senate proceeded to vote by county delegations)

AYES: Sen. Abass, Wajir County; Sen. Abdul Haji, Garissa County; Sen. Cherarkey, Nandi County; Sen. Cheruiyot, Kericho County; Sen. Chesang', Elgeyo Marakwet County; Sen. Dullo, Isiolo County; Sen. Faki, Mombasa County; Sen. Gataya Mo Fire, Tharaka Nithi County; Sen. Githuku, Lamu County; Sen. Kathuri, Meru County; Sen. Kisang', Trans Nzoia County; Sen. (Dr.) Lelegwe Ltumbesi, Samburu County; Sen. Lomenen, Turkana County; Sen. Maanzo, Makueni County; Sen. Madzayo, Kilifi County; Sen. Mandago, Uasin Gishu County; Sen. Mariam Omar, Mandera County; Sen. Mbugua, Nyandarua County; Sen. (Dr.) Mungatana, MGH, Tana River County; Sen. Munyi Mundigi, Embu County; Sen. Mwaruma, Taita Taveta County; Sen. Oketch Gicheru, Migori County; Sen. Olekina, Narok County; Sen. Seki, Kajiado County; Sen. (Prof.) Tom Odhiambo Ojienda, SC, Kisumu County; Sen. Wafula, Bungoma County; Sen. Wakili Sigei, Bomet County; Sen. Wamatinga, Nyeri County; and Sen. Wambua, Kitui County.

NOES: Nil

The Deputy Speaker (Sen. Kathuri): Hon. Senators, these are the results of the Division.

AYES: 29
NOES: Nil
ABSTENTIONS: Nil
The "Ayes" have it.

(Question carried by 29 votes to Nil)

(The Bill was accordingly read a Third Time and passed)

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Hon. Senators, I had deferred Order No.7 on statements. Clerk, we will go back to Order No.7.

QUESTIONS AND STATEMENTS

STATEMENTS

The Deputy Speaker (Sen. Kathuri): Hon. Senators, we have statements under Standing Order No.53(1).

Sen. Mwenda Gataya Mo Fire, you have the Floor.

STALLED WATER PROJECTS IN THARAKA NITHI COUNTY

Sen. Gataya Mo Fire: Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Land, Environment and Natural Resources on a matter of countywide concern regarding the stalled water projects in Tharaka Nithi County.

Tharaka Nithi County, being one of the Arid and Semi-arid (ASAL) counties, continues to face acute water scarcity, prolonged droughts and persistent challenges in water resource management. Several water infrastructure projects initiated to provide clean, safe and reliable water for domestic use, irrigation schools, elementary facilities and other public institutions remain stalled, incomplete or abandoned, leaving residents to travel long distances in search of water to rely on unsafe resources.

In the statement, the committee should address the following-

(1) The status of all water projects in the Tharaka Nithi County, indicating the number of projects that are operational, stalled, incomplete or abandoned.

(2) Look at the budgetary allocation for each stalled water project in the county for the financial years 2024/2025 and 2025/2026, the reasons for the stalling, the implementation progress, the interventions being undertaken to resume work and the projected timelines for completion.

(3) Look at the households, schools, elderly facilities and other public institutions intended to benefit from the stalled water projects and the entire measures in place to ensure access to water for the affected residents, particularly vulnerable groups.

(4) Whether there are plans to seek support from development partners or other stakeholders towards the completion of the stalled projects in the county.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Eddy Oketch.

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BALLOONING PENDING BILLS IN MIGORI COUNTY

Sen. Oketch Gicheru: Mr. Deputy Speaker, Sir, thank you for the opportunity.

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Finance and Budget on a matter of countywide concern regarding the ballooning pending bills in Migori County.

Pending bills in Migori County stand at approximately Kshs1.03 billion. These unpaid obligations have a direct impact on businesses, contractors and service providers, many of whom face cash flow constraints, mounting debts, delayed payments to employees and possible business closures. The situation also discourages suppliers from engaging with the county government, threatening service delivery and undermines the local economy.

In the statement, the committee should address the following-

(1) Status of pending bills in Migori County, including an up-to-date register of all pending bills, separately identifying the obligations owed by the county executive and the county assembly, and indicate whether the standing bills have been duly verified, and arose from legitimate procurement processes.

(2) Establish the departments, suppliers, contractors and the projects associated with the outstanding bills, indicating the amount owed and the duration for which each bill has remained unpaid.

(3) Determine the circumstances that have contributed to the non-payment and continued accumulation of pending bills in Migori County.

(4) Determine the timeline for the settlement of all verified and legitimate pending bills, outlining the measures and accountability mechanisms to ensure compliance with the proposed payment schedule.

(5) Establish the measures to prevent further accumulation of pending bills and ensure that future financial obligations within Migori County are settled within the stipulated payment periods.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Okong'o Omogeni. Sen. Enoch Wambua has been given authority to read that statement on behalf of Sen. Commissioner Omogeni.

(Sen. Cherarkey spoke off record)

Sen. Wambua: Thank you, Mr. Deputy Speaker, Sir. It will serve the House better to just ignore Sen. Cherarkey.

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COMPENSATION FOR PERSONS AFFECTED BY NAIVASHA-KISUMU-MALABA STANDARD GAUGE RAILWAY PROJECT

Mr. Deputy Speaker, Sir, I rise on behalf of the Senator of Nyamira County, Sen. Okong'o Omogeni, Senior Counsel, CBS, MP, to seek a statement on compensation of persons affected by the Naivasha-Kisumu-Malaba Standard Gauge Railway Project.

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Roads, Transportation and Housing on a matter of inter-county concern regarding the compensation of persons affected by the Naivasha-Kisumu-Malaba Standard Gauge Railway Project.

Residents of Magwagwa Location, Nyamira County, whose land has been earmarked for acquisition for the project have been directed to vacate their land to pave the way for preliminary ground preparation works without prior notice or any communication on their compensation or resettlement.

Contractors have commenced clearance and excavation works on portions of the land even as the compensation process remains unclear, raising concern that the affected persons may lose their property and livelihoods without timely compensation or adequate resettlement.

In the statement, the Committee should address the following-

(1) The total acreage of private and community land earmarked for acquisition for the project in each county along the railway line and the number of affected landowners.

(2) The criteria used to value the land earmarked for acquisition and assessed value of the parcels and the compensation payable to each affected landowner in Nyamira County.

(3) The status of compensation of project affected persons, indicating those fully or partially compensated, those yet to be compensated, their standing amounts and the timelines for payment;

(4) The legal basis for directing land owners in Magwagwa Location to vacate their land before compensation or resettlement, and whether similar directives have been issued in other areas.

(5) The mechanisms in place to address complaints from project affected persons, including disputes on land valuation, compensation and displacement.

Mr. Deputy Speaker, Sir, for the record, I seek this statement, for and on behalf of Sen. Okong'o Omogeni, SC, CBS, Senator for Nyamira County.

I thank you.

The Deputy Speaker (Sen. Kathuri): Next is Sen. Danson Mungatana. You have two statements.

MANAGEMENT OF THE COUNTY CLIMATE CHANGE FUND AND THE FINANCING LOCALLY-LED CLIMATE ACTION GRANTS IN TANA RIVER COUNTY

Sen. (Dr.) Mungatana, MGH: Thank you, Mr. Deputy Speaker, Sir. I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on

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Land, Environment and Natural Resources on a matter of countywide concern regarding the management and utilization of the County Climate Change Fund and the Financing Locally-led Climate Action (FLLoCA) grants in Tana River County.

A sum of Kshs180.7 million has been allocated to 22 FLLoCA projects in addition to County Climate Change Fund allocations to cushion residents of Tana River County against recurring droughts and floods. However, more than half of these projects in Galole, Garsen and Bura constituencies have reportedly stalled amid concerns of a lack of transparency in procurement and weak oversight.

In the statement, the committee should address the following-

(1) The funds received and allocated to the Tana River County Climate Change Fund from the County Revenue Fund, the National Treasury and the FLLoCA development partners since 2021.

(2) The implementation status of all FLLoCA and County Climate Change projects in each ward, indicating the contractors, contract sums and amounts disbursed, and the reasons for stalled projects, including the Idsowe Irrigation Scheme, the Dirisa and Hadama Water Projects, and the Galole School Greening Programme.

(3) The procurement procedures and expenditure controls applied in climate-related emergency responses to prevent price inflation, abuse of single sourcing and profiteering.

(4) The establishment, composition and funding of the County Climate Change Steering Committee, the Climate Change Unit and the Ward Climate Change Planning Committees, including the mechanism for community participation.

(5) The findings of the Auditor General on the County Climate Change Fund and the FLLoCA grants and the corrective action taken on queries, queried expenditure and incomplete work.

Mr. Deputy Speaker, Sir, with your permission, I would want to read the second statement.

MANAGEMENT OF THE TANA RIVER COUNTY EMERGENCY FUND

I rise pursuant to Standing Order No.53(1) to seek a statement from the Standing Committee on Finance and Budget on a matter of countywide concern regarding the management and utilization of the Tana River County Emergency Fund established under Section 110 of the Public Finance Management Act (PFMA).

Tana River County is prone to recurrent floods and prolonged droughts that place thousands of residents at risk. Despite the existence of the emergency fund, reports by the Auditor General and the Controller of Budget have raised concerns over unsupported expenditure, payments processed outside the Integrated Financial Management Information System (IFMIS) and procurement from suppliers who are not pre-qualified. As a result, vulnerable households in Garsen, Galole and Bura constituencies continue to rely on Non-Governmental Organizations (NGOs) for basic relief.

In the statement, the committee should address the following-

(1) The annual budget allocations, Exchequer releases, expenditure and closing balances of the Emergency Fund for the financial years 2021/2022 to 2025/2026.

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(2) Measures taken to ensure compliance with Sections 110 to 114 of the Public Finance Management Act, particularly regarding the 2 per cent revenue limit approval of emergency expenditure by the county assembly and statutory reporting obligations.

(3) An itemized schedule of all expenditure from the fund indicating the emergencies responded to, procurement methods applied, suppliers engaged, items procured and beneficiaries reached in each ward.

(4) The audit queries by the Auditor General concerning the fund, outlining actions taken to address any irregularities or to recover any misappropriated funds.

(5) The coordination mechanisms between the Fund Administrator, the County Disaster Management Directorate and national humanitarian agencies to guarantee timely and accountable response without duplication.

Thank you, Mr. Speaker, Sir.

Sen. (Dr.) Danson Mungatana, MGH, MP., PhD, Senator of Tana River County.

The Deputy Speaker (Sen. Kathuri): Hon. Senators, comments will come later due to some unavoidable circumstances.

Again, I want to reorganize the Order Paper. We defer Order Numbers 16 and 17.

(Interruption of Statements)

COMMITTEE OF THE WHOLE

THE PUBLIC PARTICIPATION BILL (NATIONAL ASSEMBLY BILL NO.44 OF 2025)

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

(Committee of the Whole deferred)

(Loud consultations)

Okay, let us get 15 minutes and whoever gets an opportunity should not exceed three minutes. We have five minutes to make comments.

We start with the Senate Majority Leader.

(Resumption of Statements)

The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Deputy Speaker, Sir. The Statement by Sen. Omogeni is quite an interesting one because to the best of my knowledge, the Kenya Railways has already published a long elaborate process for engaging Project Affected Persons (PAPs). I saw them do a similar meeting in Kericho as well as in other parts of the country.

I know the Chairperson of the Committee on Roads, Transportation and Housing is quite active, but it would make more sense if Senators became a bit more diligent than

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bringing a lot of difficult business before the House for things which are fairly straightforward.

Nonetheless, I hope we will be responded to because we do not just pass laws in this House, but to equally observe them and ensure things happen in the way they are supposed to.

I do not want this to be like another lunatic that I saw over the weekend saying that the Independent Electoral and Boundaries Commission (IEBC) must do things according to how they feel they should. If you read Article (138) of our Constitution, the mandate of IEBC is clearly elaborated, particularly Paragraph 10, on the responsibilities of the Chairperson of IEBC with regards to presidential elections.

I do not see where our Constitution expects the Chairperson of IEBC to take instructions from us, the stakeholders. Stakeholder engagement is important because people can have ideas that can move the elections forward. But when you go to a church, the way the impeached Deputy President, a man who cannot participate in any election but has the audacity to tell us that he is representing Kenyans--- I do not know which Kenyans, yet this House impeached him. The courts confirmed that he was properly impeached, and therefore, I do not know on whose behalf he is speaking.

(Loud consultations)

Mr. Deputy Speaker, Sir, can you protect me because there is somebody shouting behind me. I do not know if he is among those who are following that lunatic, because I have said that when you are impeached, you cannot lead either a political party or contest for any election.

(Loud consultations)

The Deputy Speaker (Sen. Kathuri): You do not need to make noise to be heard; you should use the system. Why are you making noise, Sen. Nyutu? What is your point of order?

(Sen. Joe Nyutu spoke off record)

You should also learn to listen and focus. I asked you what your point of order is.

Sen. Joe Nyutu: Thank you, Mr. Deputy Speaker, Sir. I rise under Standing Order 105 on Statement of Facts. Is it in order for the Senate Majority Leader to discuss the conduct or the person of His Excellency Rigathi Gachagua without a substantive Motion? He says that when you are impeached you cannot vie for any seat. We have in case law, Sonko, who had been allowed to run for Governor of Mombasa County until the Supreme Court ruled that the impeachment was upheld.

The Senate Majority Leader, who is in his third term, knows that His Excellency Rigathi Gachagua has not exhausted all the mechanisms of appeal. The Supreme Court has not ruled on this matter, so he should not mislead Kenyans. Additionally, he was referring to the same as a lunatic.

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Mr. Deputy Speaker, Sir, let people concentrate on the business of this House.

The Deputy Speaker (Sen. Kathuri): What do you want me to assist you to do?

Sen. Joe Nyutu: My point of order under Standing Order No.105 is that the Senate Majority Leader should not mislead the nation, that Rigathi Gachagua cannot run for office, because this is a matter that is in court.

The Deputy Speaker (Sen. Kathuri): The Senate Majority Leader, stop misleading the public and the nation.

(Sen. Cheruiyot spoke off record)

The Deputy Speaker (Sen. Kathuri): Give him the microphone.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Deputy Speaker, Sir, I just said there is a lunatic purporting to lead a party. I do not know why Joe Nyutu is purporting to say that the lunatic is Rigathi Gachagua. This then confirms what I have suspected, because initially, I had not mentioned anyone's name. What I spoke about earlier is the fact that you cannot purport to engage the Independent Electoral and Boundaries Commission (IEBC), and insist that the IEBC can only listen to you. There are many stakeholders in an election, and the IEBC being an independent constitutional commission, despite the fact that we---

The Deputy Speaker (Sen. Kathuri): I have another point of order from my left side.

Sen. Wambua: Thank you, Mr. Deputy Speaker, Sir. I rise on Standing Order No.101, on contents of speeches by honourable Senators, especially if that Senator is the Leader of the Majority in the House, the man who is supposed to set the standards of the pace for debate in this House.

Standing Order No.101(3) states explicitly that it shall be out of order to use offensive or insulting language, whether in respect of Senators or other persons.

Mr. Deputy Speaker, Sir, I, therefore, implore the Senate Majority Leader, and the side of the House that he leads, that we want to have debate in this House, on this Floor. However, let us be respectful. It does not add any value to the speech of the Senate Majority Leader to insult any leader, even if and when he does not agree with that leader.

There is also value in--- It is really a terrible thing. I have said on this Floor and I will say it again - Sen. Chimera and the rest of my other colleagues that I want to respect - we were here in this country and the Senate Majority Leader was here in this country when we started calling leaders' names, in the year 2007, before the elections. We hardened positions and radicalised people. At the end of it all, it is this country that was burning. The leaders that the Senate Majority Leader is making reference to are people that are known to us. We are not as stupid as we look. Some people are known to us.

When you push that line and I stand here again and push another line, and start calling other people other names, where shall we draw the line? Let us have debate in this House, but let us respect everyone.

I thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Kindly conclude.

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The Senate Majority Leader (Sen. Cheruiyot): Thank you, Mr. Deputy Speaker, Sir. I wish Sen. Wambua, my good friend, would reserve those pieces of advice for the same leader, because when you have a leader telling young people that he will mobilise them to come to the streets to burn institutions--- You should be embarrassed, Sen. Wambua, of associating with such a leader. Those are the things that put us in the situation such as what you are describing.

As leaders, we must learn to preach respect for institutions. That is why I made a passionate appeal to us, the political class, to remember that even as we go about our duties, it is the mandate of the IEBC constitutionally to determine how elections are to run. You cannot walk into a meeting and say, if you do not do this, we are walking away.

That is the whole problem that I had with this opposition, because of eternal disrespect to the IEBC.

I rest my case.

The Deputy Speaker (Sen. Kathuri): Sen. Chimera, please proceed.

Sen. Chimera: Asante, Bw. Naibu Spika, kwa kunipa nafasi hii. Nitachukua muda mfupi mno kuchangia Hoja ambayo imeletwa hapa bungeni na Mheshimiwa Seneta kutoka Gatuzi la Tharaka Nithi, Mhe. Mwenda Gataya Mo Fire, kuhusu kukwama kwa miradi ya maji katika kaunti zetu.

Ni kinaya kuona kwamba, sisi kama Bunge la Seneti tunahakikisha fedha zinatumwa kutoka hapa Nairobi ili zifike katika kaunti zetu kwa haraka iwezekanavyo. Walakini, zikifika katika kaunti zetu, fedha hizo hazitumiki vilivyo na miradi inakwama kwa sababu zisizo na maana. Sababu za miradi kukwama katika kaunti zetu ni za kiholela. Hazina msingi wa kikatiba na kisheria, na hatuelewi ni kwa nini wakati magavana wanapata fedha hizi miradi inakwama.

Bw. Naibu Spika, mimi natoka Kaunti ya Kwale ambako kuna miradi ambayo ingekamilika kwa haraka au kwa wakati unaofaa. Leo hii, pengine wakaazi wa Kwale wangeweza kupata faida zaidi kutokana na maendeleo na mgao huu wa fedha zetu.

Bw. Naibu Spika, kuna mradi pale Kombani wa soko la kisasa, ambao umekwama kwa siku nyingi sana kwa sababu inasemekana kuwa kuna hali ya wasi wasi na hatihati kati ya mkandarasi na serikali ya kaunti. Sio sababu ya kimaana ya kwamba mkandarasi anapigana vita na kaunti, na kwamba kaunti haiwezi kufanya chochote kwa sababu wako mahakamani. Ilhali, vita ni ulipaji wa hiyo kandarasi. Sielewi ni kwa nini mkandarasi anaweza kuenda mahakamani akasimamisha mradi usifunguliwe kwa niaba ya wananchi. Wafanyibiashara wanapata taabu na tunaloambiwa ni kwamba mkandarasi yuko mahakamani.

Vile vile, kuna miradi mingi kama vile pale Shimba Hills ambako kuna kiwanda cha machungwa na matunda. Wakulima wengi wa Shimba Hills wanaumia. Ajira ambayo ingepatikana kwa mradi ule kwa vijana wetu haipatakani kwa sasa kwa sababu kaunti yetu imekataa kumaliza mradi huo.

Kwa hivyo, ningetaka kumpongeza Seneta Mwenda Mo Fire kwa juhudi yake ya kuleta kauli hii. Nina imani kwamba Kamati husika itafanya kazi yake pasipo na ubaguzi na uwoga, kuhakikisha kwamba wakati fedha zinapelekwa mashinani kwa mradi fulani na wananchi wamepitisha huo mradi, basi, fedha hizo zitumike kiwaziwazi ili huo mradi ukamilike.

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Asante, Bw. Naibu Spika.

The Deputy Speaker (Sen. Kathuri): Sen. Cherarkey Samson, proceed.

Sen. Cherarkey: Thank you, Mr. Deputy Speaker, Sir. I just wanted to comment on Sen. Eddy Gicheru's Statement on pending bills. He is doing a good job on oversight. Yesterday, it was embarrassing when the Governor of Migori County appeared and declined to answer questions. I am happy the friend of the Governor of Migori, the incoming Governor of Kitui is here. Sen. Wambua can confirm that one of the questions we wanted to ask was on pending bills.

You can see Migori County has a pending bill of Kshs900 million that cannot be accounted for at the moment as per the Control of Budget (CoB) Report for the Financial Year 2025/2026. The issue of businessmen and women in Migori County is one of the questions we wanted to task the Governor of Migori and former Senator of Migori with. The businessmen and women in Migori are suffering just like those in Kitui and Kericho counties are. The case of Kericho County is worse because there are allegations facing the Governor that he 'ate' money meant for those who died during the Londiani accident.

If you go to Nandi County, it has a pending bill of over Kshs993 million that was supposed to be given to the people of Nandi. As we speak today, most of my businessmen and women in Nandi County are taking drugs meant for high blood pressure and diabetes because the bank loans they took to do business with County Government of Nandi, under Governor Sang's administration, continues to haunt them.

I am happy that there are a number of us who want to become governors, including some in this room now. I do not know why we should not allow a governor to ensure they clear their liabilities when voted out. It is very unfortunate that if I become the Governor of Nandi County, I will be forced to inherit liabilities of corruption and plundering of Governor Sang of over Kshs1 billion. It is the same for Kitui, Kericho and Murang'a counties.

You have to appreciate that counties owe businessmen and women over Kshs172.5 billion across all counties, with Nairobi City County leading. It owes businessmen and women Kshs86.9 billion as we speak today. I do not want to go to Meru County because if I comment about Meru, it will be fireworks. The Senator for Nairobi City County took a sabbatical leave instead of oversighting their payment.

With those many remarks, I support and hope that the businessmen and women will be paid in good time.

The Deputy Speaker (Sen. Kathuri): Sen. Abass Sheikh Mohamed, proceed.

Sen. Abass: Thank you, Mr. Deputy Speaker, Sir. I also want to join Members to contribute to the statement sought by the Senator for Migori County.

This business of pending bills is so worrying. As we come to the end of the Fifth Session of the Senate, Kenyans have lost a lot of money. Kenyans have invested with counties and counties do not operate in an isolated environment or law, they are under the guidance of the Kenyan law. We have about Kshs160 billion outstanding bills in the various county governments. From my county, it is almost Kshs4 billion and as we move forward, those bills are not forthcoming to be paid.

If you look at the national government, an agreement has already been made on how pending bills are being paid, with some of it having already been paid. However, for

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the counties, nothing is actually moving to clear pending bills. The public have invested with the counties. It is very unfortunate that those guys are not even worried and have no arrangement on how they will pay the bills. It is the onus of this House; the Senate, that now we must take action and come up with modalities that can salvage the bills owed by the counties. Many Kenyans have lost the little money they had by investing in the counties and they cannot get it back.

The Fourth Senate is coming to an end. We cannot leave Kenyans to labour around looking for their money. I want this House to take these issues seriously and save the people in the counties.

Mr. Deputy Speaker, Sir, another thing is on water harvesting. As you are aware, the much pronounced El Nino rains are not forthcoming, and from the way things are moving, the rains have failed. Therefore, this country must plan again for the dry period that is coming. There is scarcity of water in dry areas. We ask the national government to do something so that we can save this country.

The Deputy Speaker (Sen. Kathuri): Sen. Keroche Tabitha, proceed.

Sen. Tabitha Keroche: Mr. Deputy Speaker, Sir, thank you for the opportunity. I raised this when my former boss, Sen. Cheruiyot, was talking. I think there is something I saw that was not right. It is good for all Kenyans to know that there is the Bill of Rights.

He said: "Who is this person to talk on behalf of Kenyans?" I do not know whom he was referring to, but everybody has a right to talk on behalf of Kenyans, whether you are in prison, impeached or in the opposition. In case you see anything going wrong, you have a right to talk on behalf of the people.

My former boss should now know that we all have rights. I know that since I am no longer the Deputy Majority Leader, when I speak in Nakuru, he will be asking, "who is this talking and they are talking on behalf of who?" We are talking on behalf of Kenyans and we will talk and say it till your ears get the message and understand what Kenyans are saying. Remember, now, I am "*Skiza Ground*". *Kwa hivyo, nasikiza* ground *vizuri* sana. I can even tell you what the people are saying in Kericho County.

We are here to talk on behalf of the people, especially when it comes to the Independent Electoral and Boundaries Commission (IEBC). We do not want what we have seen there before. So, when it comes to IEBC, we will really talk.

Thank you, Mr. Deputy Speaker, Sir.

The Deputy Speaker (Sen. Kathuri): Sen. Wambua, proceed.

Sen. Wambua: Thank you, Mr. Deputy Speaker, Sir, it is very interesting.

I want to comment on the statement by the Senator for Migori County on this issue of pending bills. We can talk about this until chickens come back home, however, we need to get to a point that we draw the line. For us in the Senate and maybe Members of the National Assembly, this issue of pending bills may just be conversations or debate in pushing an agenda. However, for the people that are affected by these pending bills, it is a matter of life and death.

The people who came up with the idea of a devolved system of government had serious and good thinking about empowering people at the grassroots through business opportunities available in county governments. Whereas it is true that devolved systems of government have created wealth and prosperity for many people who would not have

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had access to those opportunities, they have also frustrated many business people in the counties.

Mr. Temporary Speaker, Sir, I will say something that Sen. Cherarkey almost alluded to. We have two former governors here, but it becomes tricky for me that a governor will sit in office for 10 years, create huge pending bills and then seek to come to the Senate to represent those people, including businesses they have frustrated and caused to collapse. It is a dicey conversation to have, but it is one that we must have.

[The Deputy Speaker (Sen. Kathuri) left the Chair]

[The Temporary Speaker (Sen. Wakili Sigei) in the Chair]

One of the criteria for governors being allowed to run for offices as Senators, should look at their performance, especially on pending bills in their county governments. We cannot have a situation where it is okay for someone to be in office for 10 years, create pending bills, leave as though nothing happened and now move to be elected to other offices. We need to have a robust and serious conversation about the challenges of pending bills.

I thank you, Mr. Temporary Speaker, Sir.

The Temporary Chairperson (Sen. Wakili Sigei): Thank you, Sen. Wambua.

Sen. Joe Nyutu.

Sen. Joe Nyutu: Thank you, Mr. Temporary Speaker, Sir, for this opportunity.

I also wish to comment on the statement raised by Sen. Eddy Oketch of Migori County on pending bills. This is not a matter unique to Migori County. It affects almost all the 47 counties where business persons get contracts with county governments, but once they complete the job, they are not paid for the job they have done. This matter has caused families untold sufferings because business people have gone to banks upon obtaining contracts with county governments, borrow loans and proceed to carry out projects in the counties.

The governor of the county proceeds to milk political capital because they will go and launch a project carried out by an innocent business person, but leaves the contractor with an unpaid loan that continues accumulating interest. This has caused problems; psychological and mental health challenges, where a progressive business person becomes a patient. That is why this matter must be addressed by the relevant committee very seriously.

Mr. Temporary Speaker, Sir, most of these pending bills are based on inflated own-source estimates. Governors will estimate that they are going to collect inflated amounts of revenue in own-source revenue, knowing very well that they are not going to collect that kind of revenue. So, they over-budget and will not meet these obligations.

That is there in the Bill proposed by Sen. Karungo Thang'wa, MP, my colleague in DCP, and I implore Senators to support. This is coming from the CoB that counties are incurring these pending bills because they are over-budgeting based on own-source revenue that is not forthcoming.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Mungatana Danson.

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Sen. Mungatana, MGH: Thank you, Mr. Temporary Speaker, Sir. I wish to briefly address the House on the question of pending bills. A few weeks ago, we were in Kilifi County. The Senate County Public Accounts Committee (CPAC) gave a written letter that they would go to Tana River County, so that they sit with the Governor of the county and the people who had a lot of interest, including the association of those claiming pending bills from the County Government.

The people had prepared thoroughly. They had even requested that the Senate CPAC go to see for themselves incomplete projects, ghost projects and non-performing works that are real in the county. However, the meeting was suddenly cancelled without explanation and, to date, the people with pending bills are waiting for that committee to go to Tana River.

I am aware that they want to summon the Governor to Nairobi and therefore, deny the people the opportunity to sit and give the Senate CPAC their views on what is happening. Those who have suffered pending bills, those whose documents have been used to pay and firms that have not given any work or service to the county governments---

Mr. Temporary Speaker, Sir, I stand here to make a plea and I have done it privately to the Chairman of the Committee. I have escalated it to the Speaker of this House and I would like to say publicly that the people of Tana River with pending bills and claims around their money are waiting for the Senate CPAC. It is fair to give them that hearing.

The Temporary Speaker (Sen. Wakili Sigei): Sen. Veronica Maina, you have not requested to speak on this statement by Eddy. Proceed to make your contribution.

Sen. Veronica Maina: Thank you, Mr. Temporary Speaker, Sir, for this opportunity.

I support the statement brought before the House by Sen. Eddy Gicheru Oketch. As you know, one of the functions of the Senate is oversight of county governments.

The other function is to ensure that the resources allocated to counties are disbursed in a timely fashion. That is why the Senate spends considerable time discussing Bills like CARA and such other Bills that assist the counties to appropriate the resources they are entitled to under the national budget. It is, therefore, very sad to note the way some of these chief executive officers in these counties have behaved, in such a manner that they do not seem to understand the functions of governors and those of devolved governments.

The reason why devolved government was brought in under the new Constitution was to ensure that resources would touch the grassroots, the people, and would empower the local economies within the counties. It was not to create a platform for counties to accumulate debt and pending bills even when they are still receiving an appropriation from the national coffers.

So, it is sad to note that Migori County has an outstanding pending bill accumulated to Kshs1.03 billion. Let me say, this is shameful. Why? Because Migori County is one of the 47 counties and it has received its allocation. This is an issue that needs to be investigated at length by the relevant Committee and not just with a view to singling out Migori County, but looking at every county that is running pending bills as

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though that is a bouquet of flowers that they need to show or to keep demonstrating to people with regard to what they are doing.

In fact, it is a shame that traders at the county level have actually given up giving any service to the county governments. Any business that is done between a private investor or a trader and a county or any level of government should be the best business that a person could ever do, or an entity could ever engage in. However, for a trader to do business with the county government and they go home crying, or they go home getting sick because of the loans they have accumulated to fund the operations of their business with the county, is shameful to the county.

The Temporary Speaker (Sen. Wakili Sigei): Conclude.

Sen. Veronica Maina: Mr. Temporary Speaker, Sir, a time, a day is coming when we will create, in this Senate, a list of shame of all the counties and governors who have accumulated pending bills as though they were trophies for those counties. That shows gross incompetence. It shows lack of accountability and transparency.

This House needs to come up with a very serious resolution on what should happen to counties that are receiving funds and public resources, but yet their pending bills have remained, escalated, or have not been managed and traders have not received their dues.

With those many remarks, I support. I urge the counties to honour their debt obligations to traders so that the economies at the local level can grow.

Thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Sen. Veronica.

Honourable Members, time for comments on statements has lapsed, and that was the last contribution from Senator Veronica. We will call the next Order.

BILL

Second Reading

THE ANTI-DOPING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 66 OF 2026)

The Temporary Speaker (Sen. Wakili Sigei): Senate Majority Leader.

The Senate Majority Leader (Sen. Cheruiyot): Mr. Temporary Speaker, Sir, I beg to move that the Anti-Doping (Amendment) Bill (National Assembly Bill No. 66 of 2026) be now read a Second Time.

This is a very important Bill. It comes at a very crucial time when, as a country, we are actually at a crossroads. Why am I saying this? This is because if you remember when Kenya won the right to host the 2029 World Athletics Championships, the first for a sub-Saharan African country to do so, the whole country received the news with gladness. Every patriotic Kenyan was happy about this development and many people saw it as a reward from the athletics-loving population of the world to the finest nation on earth with regard to long-distance running.

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This is a country that, since the foundations of the Olympics in the 1900s, to the World Championships competitions and so many others, has gifted the world with many great moments with people competing, records being broken and all manner of exploits on the track.

Then there was a journalist, I think he was British, I am not sure of the name, who posted and said: Why are you rewarding a doping country? Of course, everybody disagreed with him and said, go to hell. You are just being petty. There were so many other things that were said to him and many Kenyans held the same view because while we may have doping as a challenge, among one or two athletes, this is a very recent phenomenon.

Over the years, our dominance as a country in the space of athletics did not begin the other year. Right from the 1960s, when we became a republic, we have been dominant in this field, and have performed extremely well competing with nations that are far more established than us, and so on and so forth. Therefore, that gives us a reason to always stand firm against this doping menace. That should never define our place in the world of athletics, because as a country, we are known.

The Anti-Doping (Amendment) Bill (National Assembly Bill No.66 of 2026) was published in the Kenya Gazette on 28th September, 2026. It was passed by the National Assembly.

The principle of this Bill is to amend our Anti-Doping Act, Cap. 245B, where Kenya is a signatory to the United Nations Educational, Scientific and Cultural Organization (UNESCO) International Convention Against Doping in Sport, established under the World Anti-Doping Agency (WADA), which sets out international obligations relating to the prohibition of doping in sport.

Those who were in the Second Senate, the 2013 to 2017 Parliament, will recall that previously, when this law, the one we are amending here today was brought to the House. It is the only law which has come to the Parliament of Kenya with express instructions of; "do not touch a comma." Actually, I have never seen any other law like this. This did not just happen in Kenya alone. It happened in all the participating nations in the 2016 London Olympics. The way the law had been proposed by the World Anti-Doping Agency is the way they wanted it domesticated in every country that participates in the sport of athletics and we complied.

One afternoon, we sat here, debated, all manner of things were said, but then we were reminded that the choice was ours. Amend this Bill and you risk your country not participating in the 2016 Olympics, or pass it, then your athletes can participate. Therefore, we set up the Anti-Doping Agency.

I have had occasion to listen to athletes because apart from politics, I love sports. I am a big fan of sports. I follow many sports and I engage athletes and different sportsmen. Just learning the things that are happening, and ensuring actually that I understand the people I represent, because I come from a county that produces good athletes.

Mr. Temporary Speaker, Sir, though in the previous years the sport of athletics was domiciled more particularly to the north of the rift, over the past few years; my home county, where you come from as well, has produced very good athletes, particularly in

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the junior category. Of course, they will grow with the sport and hopefully as they get into their subsequent older years, they will perform better. Therefore, it is in our interest, as their representatives, to make sure that we pass laws that aid them.

We have a problem in how world athletics is organised and in the behavior of anti-doping agencies, particularly in Kenya. There is just a problem in how they treat athletes and how that situation is managed. Why are we having so many athletes in this day and age, including some who have conquered major events in the global arena, being found out to have participated in doping activities? That leaves a bad taste for the athletics lovers and it is not something to be proud of. We must all support anything that ensures this menace is contained just to be sure that things are as expected.

The Bill seeks to align our framework with the code of international standards and what other jurisdictions have learnt over the years since this law was passed in 2016 up to what we have currently. The Bill has 24 clauses, many of which I would wish to--- I do not know who took my copy of the Bill; that is what I am struggling to find. I had a copy of the Bill on which I had made notes.

(The Clerk-at-the-Table gave Sen. Cheruiyot his copy of the Bill)

Thank you, Mr. Chania.

The Bill has 24 clauses and many of them are about deletions and adding provisions on recreation, professional sports and things such as those, including the establishment of sports organisations. Kenya's contribution to the world stage, particularly in the athletics world, cannot be gainsaid. Yet, if we do not manage the powers of the Anti-Doping Agency of Kenya (ADAK) and make them more responsive to this menace, including blocking agents that are known, we will continue to struggle.

In Eldoret and even where we come from, there are people who lure our athletes with the promise of quick money. You know we do not have a good environment to train and mentor them and some of these young people come from very humble backgrounds. Sometimes the promises they are given, that the drug being administered is untraceable and will never show up even if a test is done, can be enticing to someone trying to run away from poverty. Many of these athletes come from such backgrounds.

We must go for the people who are actually aiding this menace and they are known. We must go for pharmacies that are known for dispensing drugs that are affecting our athletes. When you hang around athletes, they will tell you that some of these substances cannot be found in an ordinary chemist. There are specific places that are known where athletes who are misled into these activities go.

The question you ask yourself is: What is the challenge with the agency we set up, the Anti-Doping Agency of Kenya? Why have they not been able to clamp down on cheating and doping in the sport of athletics particularly? It has reached a point where people are beginning to look at us with suspicion. When Faith Kipyegon achieves her exploits, people are no longer sure whether she is simply talented and properly prepared or if she is just one among many.

The cases that have been reported should leave us worried as policymakers and lovers of sports. This should not be taken lightly. It is my hope that we shall move this

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Bill, have our Committee propose whatever amendments they may need and conclude on it so that our country behaves better.

This is a problem of monumental proportions. It is not just about doping. You understand the challenges we are facing today as a country. I know that as a government, we have invested in sports facilities better than any other administration in post-colonial Kenya. However, all that will come to nothing if we do not ensure proper management of sports at the level where federations and agencies work. We will continue finding ourselves in this kind of situation.

Sen. Cherarkey here, who will shortly be seconding this Bill, has been quite vocal about some of these things. I have equally spoken on the need to ensure that our sports federations work for the interest of the sport and not just for the purpose of enriching a few.

Look at what is happening in football; fights every day. It is an embarrassment to the lovers of the good game of soccer. Athletics is not any better. We are managing our sports through courts. I have said many times that we must find ways of reforming our Judiciary.

Mr. Temporary Speaker, Sir, you are a lawyer, same as Senator Cherarkey. I must congratulate Chief Justice Martha Koome. Last week, she launched a report on the performance of various judges. I am told judges were up in arms, with some complaining about why she was doing this. However, we must commend any progress made by the Judiciary. A Judiciary that works for the people is a work in progress. It is not something static or stationary. It is something that any nation must build progressively to ensure its systems are improved.

I would wish and I have argued many times on the Floor of this House, that we had a fit-for-purpose Judiciary. There are two things I have always spoken about. First, they need to respect tribunals because you understand very well that tribunals have a better understanding of the matters under their jurisdiction. Judges should take time before suddenly overturning the decisions of tribunals. I am not saying they cannot. However, they should seek to understand why a Rent Tribunal, a Tax Tribunal, a Sports Disputes Tribunal or a Political Parties Disputes Tribunal has made certain decisions.

I know there is a lot we need to do. We need to give more powers to these tribunals so that unless a matter is of major significance to the country, some of these disputes are allowed to rest at the tribunal. Once addressed by the people sitting on those tribunals, those decisions should be final. Otherwise, this business, where a tribunal is set up, for instance, the National Environment Tribunal, then people simply bypass that institution and go straight to the High Court and for some reason, they are granted a hearing and a decision is made, which does not work well for the Judiciary. I do not think that was the design of our Constitution.

I hope Chief Justice Martha Koome and those serving in the Judicial Service Commission (JSC) can issue regulations or guidance regarding how judges handle these matters. It is like the other issue where we complained that Parliament is a gathering of the representatives of the people. Once a Bill has gone through, in either or both Houses of Parliament, and has been considered, undergone public participation where people have shared different views and we have eventually voted and made a decision, the bar

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for overturning or even suspending any clause in in it ought to be higher than just a single judge sitting in a court somewhere saying; "I have read this petition," and sometimes issuing orders *ex parte*.

The threshold for business that has passed through an equal arm of Government like Parliament should be higher. You know the way this country operates. There are people who go to court, not necessarily to seek justice, but to delay justice more often than not, against the public interest.

Mr. Temporary Speaker, Sir, look at some of the laws that we passed. You know, for example, that when we passed the Tea Bill in this Parliament in 2020, we had to wait for a cool five years as all those matters that we had discussed, deliberated, listened to the public, the people that we represent in this House, before they eventually enjoyed the fruits of the work of their Parliament, it took five years.

We passed the Sugar Act in 2024. It is now two years plus. Farmers cannot elect their directors because there are people filing cases in Kakamega, another one in Kisumu, another one in Kisii and they are all just being given court orders here and there with no coordination. That was not the architecture and the dream that Kenyans have when they gave themselves the new Constitution.

I was speaking about that in relation to these sports. The case of athletics is a very sad and worrying. I think from the year 2010, or is it 2011, Athletics Kenya has not been able to hold an election because of court cases. Is there no agency within the Judiciary that looks at certain cases that are of public interest, such as what we are discussing here and gives direction; for instance, to say we need to make a determination in this matter, either this or the other way, as opposed to just sustaining?

For more than 10 years, our athletes have been suffering. That is why we are discussing doping as a menace. If we had a functional Athletics Kenya, we would not be discussing this today. Therefore, there are things that we must organize and the involvement of courts of law in matters relating to sports is something that we need to limit.

Look at what is happening in football as well. This court order against the other one. We should finish all our business within the federation so that once an election has been held, you conclude on it. In fact, I wish to urge the Cabinet Secretary for Youth Affairs, Creative Economy and Sports, Hon. Mvurya, to make sure that in the appointment they are making for the registrar of sports, because I know there is somebody who is acting there currently, the one who was there retired or maybe I do not know what happened, is somebody who appreciates sports as an industry.

Countries that have managed their sports well have drawn a lot of value out of just organizing their sports in a neater and better way. Building stadiums alone is not enough. While it is a good start, ensuring that our athletes have federations that work for them and not for their officials is 2:0 of sports management. It is my hope that the matter will be resolved so that we do not end up finding ourselves with the kind of challenges that we are discussing here.

There are many things that I would have wished to say but in the interest of time, I know there are a number of colleagues who want to speak on this issue.

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I beg to move and request the Senator for Nandi County, whom I must commend, that nearly every time our athletes have done mighty exploits in various capitals of the world, he always brings a statement to this House to celebrate them and to speak for them. I know he will do justice to this particular Bill and to the many things that we need to say with regards to various federations.

With those many remarks, I beg to move and request Sen. Samson Kiprotich Cherarkey to second.

I thank you.

The Temporary Speaker (Sen. Wakili Sigei): Thank you, Senate Majority Leader.

Sen. Cherarkey, you may proceed to second the Bill.

Give Sen. Samson Cherarkey the microphone, clerk.

Sen. Cherarkey: Thank you, Mr. Temporary Speaker, Sir, for the opportunity to second the Anti-Doping Amendment Bill 2026, (National Assembly Bills No.66 of 2026). I want to start from where the Mover left.

Mr. Temporary Speaker, Sir, you and I come from a region where athletics and sports are a big industry. I always say Eldoret City, Kapsabet Town, Nakuru, Kitale, and even Nairobi is a by-product of what the industry has done. There is nothing as much as rewarding than the talent. Most people who make a lot of money are people who exploit their talent. You and I who went to law school, teachers and engineers might not earn as much we should.

Even when you see our international footballers, especially for people who follow the English Premier League, and today evening, there is UEFA Games that will run back in the evening. They earn in terms of pounds, dollars, and millions. They earn more than the President of this country or even the powerful President of the United States of America. So, this is an industry that we must protect jealously. Anything that will improve and ensure our sportsmen and women function properly, like the Anti-Doping Amendment Bill 2026, (National Assembly Bills No.66 of 2026), should make us very glad.

I am happy that this Bill is to align the Kenya Anti-Doping framework with the World Anti-Doping Code and the applicable international standards. I am aware that there are a number of athletes that were banned, some of them internationally from Kenya, over the use of erythropoietin (EPO). I hope that the Intellectual Integrity Unit and Anti-Doping Agency of Kenya and World Anti-Doping Commission will be able to allow our athletes to appeal.

I want to assure the world that all our athletes who have won, be it in football, athletics, rugby and all the sports, have done it fair and square. The challenges of doping that we are facing in the country are so minimal that they do not affect the integrity of this country. Therefore, any person who is watching and seeing the few minimal doping cases in the country against our athletes, footballers, rugby players, or any other sport that we have in this country, should rest easy because these are minimal.

Kenya is known as a country that belongs to sports. Therefore, the issue of doping has become a menace. We need a strong regulatory legal framework. You know that I am passionate about sports. I participate in what we call recreational sports. Recreational

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sports are where you train for fitness. I know a number of us, including you, participate in recreational fitness.

[The Temporary Speaker (Sen. Wakili Sigei) left the Chair]

[The Temporary Speaker (Sen. Mumma) in the Chair]

Madam Temporary Speaker, I hope that there is no intention to take us through testing of doping substances as we do the recreational sports for fitness. Whenever you wake up here in Nairobi, if you go to Nyayo National Stadium, Ulinzi Sports Centre or walk around our estates in Nairobi, you will see people training. Even in my home county, Nandi. If you walk around or drive in the evening like now, as I second this Bill, you will see young men and women playing volleyball. Others go out in the morning, by 4.00 a.m., to Nandi Hills, across North Rift, Kaptagat. This also happens in Iten. You will always meet young men and women who rise up by 4.00am, when the sorcerers are no longer active to train and participate for serious.

I want to assure the world, when we win in any competition; be it in athletics, football, rugby, netball, any other sport, we win fair and square because it is our talent. So, that should go out, even as we look at the number of athletes that were banned a few weeks ago. So, this law, when you look at it, is just trying to regulate the entire process that we see as a country.

Another aspect, as I open my remarks, is that we must agree as a nation to do proper vetting of coaches, people who are support system of the athletes and of other sportsmen and sportswomen like football. We must vet them. It is shocking sometimes to see how people come as sports tourists. They are cleared at the Jomo Kenyatta International Airport (JKIA), not as coaches but as tourists. However, two months or three months later, you find them training athletes in Iten, Kapsabet, Nandi Hills, Kaptagat, or even here in Nairobi without proper rigorous vetting.

The soft underbelly of doping in this country is done through coaches. A number of them are done through people, technical staff who innocently--When you speak to athletes who are facing doping allegations, you will realise that some of them were misled. Some of them were coming back from maternity leave and were advised to use a particular drug. After they have been tested, they are found with erythropoietin (EPO) use or any other form of doping substance.

Our technical staff and even some pharmacists are expected to assist in regulating this law. We will go into details, in a few minutes, to show that we must also blacklist some of the pharmacists. We have seen this happening in Kapsabet Town, Kaptagat and Iten. There are pharmacies which are known to participate, procreate and facilitate the doping in favour of the athletes. I want to advise sportsmen and women of this country that we respect them because they carry our flag high internationally.

Madam Temporary Speaker, when Kenyan songs are sung internationally, we feel the pride. We are proud of what they are doing. They should just run a clean sport. That is what we want them to do. They should do it in a clean manner.

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I am happy that in this Bill we are trying to create a mechanism of educating them because a number of athletes who have been found to have done doping are sometimes innocent. They were told to take supplements. Those supplements are laced with erythropoietin or any other substance that is banned by the World Anti-Doping Code.

Some of them are sometimes misled because they are given supplements. Some are sick and their drugs are laced with a doping substance. However, my advice to the sportsmen and women of this country is to run a clean sport. Therefore, government must put in place measures. I agree on the governance of federations including Football Kenya Federation (FKF). We are preparing for Africa Cup of Nations (AFCON).

The other day, I met one of the sports enthusiasts in this country and they were telling me that AFCON have closed coordinating offices. They have relocated to Tanzania because of the wrangles in our football federations that we are seeing between Hussein Mohamed and McDonald Mariga in the National Executive Council (NEC) of Football Kenya Federation. You have heard that Athletics Kenya (AK) have never had any election. Can you believe most of the sports federations are run through courts of law and court orders?

Kenyans should be fair to politicians. As politicians, we have managed a lot of elections in this country and across. Politicians are allowed to go for elections after every five years. Can you believe that the sports federations that have been run longer than the term of Mugabe and Museveni combined because those individuals who run sports federations do not want to retire? They are using the federations to milk the resources of this country.

Madam, Temporary, Speaker, we must ensure that the governance of sports federations in this country is fair. I have met athletes - I do not want to mention their names - there are situations where even the Athletics Kenya officials are colluding on how to stop some of these athletes in bad faith by ensuring that they are found with doping substances. That should be punished as a criminal offence because it is very unfair. I speak passionately because 80 per cent of the Nandi County youth depend on sports, majorly athletics and volleyball. We have not ventured into football.

Madam Temporary, Speaker, I know that the region where you come from, you are the bastion of football. The day people from my region learn football, you will be in big trouble because we are very fast, we can chase the win, so chasing a ball is not a problem.

Madam, Temporary, Speaker, let me make a few comments on the issue of recreational athletes. I am happy it has been defined, but within five years, you should not have been an international level athlete, national athlete and in professional capacity. That is Clause 2 where those amendments have been done. Therefore, doping control has been--- I insist that this is just to regulate with one anti-doping code of standards against use. I know the sportsmen and women understand what we mean by national athletes because these are just a testing pool.

Number two, on the recreational athletes, sports organisations have been registered under the Ministry of Youth Affairs, Creative Economy and Sports, for instance, Federation Club League Association, among others. The possession means the

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actual physical possession or even prohibited method that is found because we only punish the athlete. We need to be fair.

I challenge World Anti-Doping Agency (WADA), Anti-Doping Agency of Kenya (ADAK) and Athletics Integrity Unit (AIU) to also punish the supplier, the distributor and the athlete. At the moment, it is unfair. We are punishing only the athlete or the sportsman or women. We must punish the entire value chain.

When you see the fight against Narcotic drugs in Colombia and other cartels even in Mexico--- I have seen the United States of America Government, they normally go and bomb where the cocaine and other drugs are manufactured. If we want to finish the doping menace, we must go to where the distributors and manufacturers are. We have to blacklist the pharmacists, the manufacturers and anybody who is found distributing or selling the doping drugs.

I know it is in law at the moment. Let us not only punish the athlete but also the organisation. We have sports organisations. For instance, when you go to Kaptagat, where the Uasin Gishu Senator comes from, camps have been established there. They must also be held accountable in terms of collective responsibility. There shall be no anti-doping rule violation.

Let me quickly run to Clause 6 on the issue of functions of the agency. The functions are to plan, conduct, coordinate, oversee competition and out of competition, testing across all sports and all levels for Kenyan athletes within Kenya. I am happy about this because most of the sportsmen and women especially athletes normally complain about ambush testing.

We must have a process of testing because if it is the interest of ADAK or World Anti-Doping Agency or Athletics Integrity Unit to find out who is doping or not, they should not behave like this. They should engage in a structured testing. Why would they ambush the athletes or sportsmen and women when they are testing them? They should give timelines that before you train or before a race you are supposed to face the testing.

My friend Amos Kipruto the other day was telling me how the process is. We have seen people like Faith Kipyegon. Unfortunately, I saw Peris experience some problems here and there. A number of athletes that have participated, even the indomitable lion called Eliud Kipchoge who comes from Talai have had the same issue. On the issue of ambush testing, we must agree.

I had mentioned education, the awareness. It is like we have trained ADAK to be *mbwa kali.* They are just waiting a thief, but the role of ADAK is much more. They need to go and sensitise sportsmen and sportswomen; the footballers, the volleyball players, the basketballers, the people play rugby and athletes. They should ensure that they are aware. They should also include their coaches and technical support teams.

Madam Temporary Speaker, although you are a senior lawyer, you know that ignorance of the law is no excuse. Before punishing an athlete, at least, they should know or they should have been made aware or educated, so that they know which substance not to take or what to do or in case they need to take supplements.

I appeal to ADAK to ensure that they promote integrity, ethics, fair play and clean sports principle. They should prosecute anti-doping rule violations and related offences before the appropriate bodies. The investigating agencies should carry out investigations

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into violations of this Act in good faith. This is very important. There should also be a therapeutic use exemption process in line with international standards. They should also develop and implement strategies to prevent and address doping in Kenya.

The ADAK must come out strongly and ensure they do their job. Let us punish the whole value chain. If we have a pharmacy in Nairobi that is participating in doping, let that pharmacy be known. We should write to the Attorney General, have them blacklisted, let the directors of that pharmacy be arrested so that we can finish this menace once and for all.

I can see my light is on. On prohibition of doping, anti-doping rules shall be set up, so that we ensure that we do doping control in the country. I celebrate the government because at least, the reward or award system has always been very important. We need to reward our athletes. I still insist that we need to ensure that our athletes are given Kenya Revenue Authority (KRA) exemption because you do not tax the reward or award twice.

You are aware that when an athlete wins Chicago, London, Berlin or Valencia marathons, they are taxed there and then but we also tax them. So, my appeal is that the Kenya Revenue Authority (KRA) must find a way to motivate our sportsmen and women by giving them tax exemption because their award or win has already been taxed from the point of origin.

Secondly, I am happy that the President has pushed for, at least, Kshs3 million for gold, Kshs2 million for silver, and Kshs1 million for bronze. This is for all disciplines and there are also vehicle awards and houses from the affordable housing project. We need the sportsmen and women to be included in the affordable housing programme.

Madam Temporary Speaker, we should also ensure that we include them when we are doing recruitment for police, security services and the Kenya Army to motivate them. For those who are yet to get married, the government can do something to ensure, at least, they get a husband or a wife. I know that is not the work of the government. However, there are many single women and men who are in the same situation like the sportsmen and women. Therefore, the government could organise a get-together or a dinner where the singles are brought so that our sportsmen and women can meet them. I am saying this from experience. Sportsmen or sportswomen do not have words because their energy is concentrated on running, playing football or rugby. So, they cannot vibe. They are not wordsmiths, so you might need to assist them.

So, we need to ensure that the government and even Parliament supports them. I am happy that a number of staff here in Parliament are ex-sportsmen and women. We must create institutions to take them in.

I can see my time is almost over. I will, therefore, quickly move to the judicial process. I am happy there is an elaborate place of appeal. My athletic friend, who was 1500 metres maestro--- I am just forgetting his name, was telling us about the troubles that they have gone through. Asbel Kiprop has come out to say how the process has been unfair. I am happy about the elaborate process of appeal especially when foul play has been established. For example, where you are going to court for arbitration of sports and also anti-doping rules. There is a process of anti-doping rules and the appeal under anti-doping rules should be recognised before the sports dispute tribunal.

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I would like to appeal to judges and magistrates across the country, and congratulate Martha Koome, even though she might not know me, for starting performance contract appraisal. There are over 500,000 court cases. I am surprised that somebody rushed to court to block the performance contract appraisal. I want to congratulate Chief Justice Martha Koome that she brought out a number of judges and magistrates who are doing a good job. It is a motivation because the Judiciary is funded by taxpayers. We want to know their performance the way we want to know performance of a leader.

Therefore, I would like to tell the judges and magistrates of this country that they should not be scared. They should allow themselves to be rated. We do not want to reduce this country to *JurisPesa.*

You have seen our sports federations suffering, where a court order is issued *ex parte*, to their detriment. The Judiciary must come out and ensure that the process being undertaken is realistic. You are a senior lawyer and you understand this. The Judiciary should be realistic to the needs of the country. I am aware that almost Kshs330 billion worth of government projects have been frozen by court orders. What is important? Is it an individual interest *vis-a-vis* the national interest? The Judiciary must be open. We are stakeholders.

If I was not a Senator of the Republic of Kenya from Nandi County, and I continue to thank the people of Nandi, I would be a judge somewhere dispensing justice for the people. That is why we are appealing to the Judiciary and we ask the Chief Justice, Hon. Martha Koome, if she is watching, to remain quiet and to rate the judges and magistrates so that Kenyans can know.

Madam Temporary Speaker, I know people might not take this lightly, but the Judiciary is so opaque. You go there and you do not know when your matter will be heard or dispensed. Just like the sports issues and matters that are there, we must agree to allow all institutions to be critiqued.

Parliament is critiqued every day.

(Sen. Cherarkey's microphone was switched off)

The Temporary Speaker (Sen. Mumma): You have 30 seconds, Sen. Cherarkey, to conclude.

Sen. Cherarkey: Thank you, Madam Temporary Speaker.

I would like to ask Chania to also be fair to me because I am so passionate about sports.

Let me conclude.

The Parliament, Executive and the President are criticised every day. Why does the Judiciary not want to be given constructive criticism? That is why we are telling them whenever they make a decision, including sports, that they must be fair to the people. They must follow the rule of law and follow the interests of the nation.

Madam Temporary Speaker, I am very passionate and hope that when we pass this law to streamline and regularise sports in Kenya, my people who elected me to this

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House, will be very happy. We want those young men and women, either from Siaya, Busia, or Kisumu, where you come from, to have an equal opportunity.

I thank you, Madam Temporary Speaker, and beg to second.

The Temporary Speaker (Sen. Mumma): Hon. Senators, I propose the question.

(Question proposed)

Hon. Senators, since there is nobody else seeking to contribute, I call upon the Senate Majority Leader to reply.

The Senate Majority Leader (Sen. Cheruiyot): Madam Temporary Speaker, I thank Sen. Cherarkey for speaking eloquently on this matter. As I said, these are things that we are passionate about. We have spoken about the challenges facing sports.

We need public policy legal experts like you to speak on some of these things. It is unfortunate that while we are speaking to this, you are the Chairperson, and therefore, limited in terms of what you can contribute. I was really interested to know your thoughts, particularly, on this issue of how our court system is aiding the maladministration of sports federations.

Madam Temporary Speaker, apart from doping, the second biggest threat facing our sports industry as a country is how various courts are aiding corrupt officials from scrutiny, forcing them to remain in office, delaying elections, and things such as those. That is something which we expect the Chief Justice to address at the earliest opportune time.

We must congratulate the Chief Justice and the Judicial Service Commission (JSC) on the bold step of ranking the performance of judges. I read that report and was shocked that there are judges that are working really hard, if you look at the number of cases they are concluding. Then, there are others, who, without any care in the world, stay with cases for years. As the old maxim always reminds us, justice delayed is justice denied. Therefore, it is my hope that now, as we seek to resolve the issue of doping as a menace, we shall equally resolve the issue of court injunctions or court actions that lead to maladministration in sport entities.

With those many remarks, I beg to reply.

Madam Temporary Speaker, pursuant to Standing Order No.66(3), I beg to request that the putting of the Question be deferred until a later date.

I thank you, Madam Temporary Speaker.

The Temporary Speaker (Sen. Mumma): It is so deferred.

(Putting of the Question on the Bill deferred)

The Senate Majority Leader, could we consult?

(The Senate Majority Leader (Sen. Cheruiyot) consulted the Temporary Speaker (Sen. Mumma))

Hon. Senators, Order Nos.19-34 are hereby deferred for lack of Movers.

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MOTIONS

CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE ELECTIONS (AMENDMENT) (NO.2) BILL (SENATE BILLS NO.29 OF 2024)

THAT, the National Assembly amendments to the Elections (Amendment) (No. 2) Bill (Senate Bills No. 29 of 2024) be now considered.

ADOPTION OF REPORT ON PETITION ON EVICTION OF SINGLE MOTHERS ASSOCIATION OF KENYA FROM PROPERTY NO.LR2096738

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Single Mothers Association of Kenya concerning their eviction from Property Ref. No: CP & ARCH/00219, Excision of L.R. No. 209/6738 in Ziwani Ward in Nairobi County, laid on the Table of the Senate on Wednesday, 16th September, 2026.

REPORT ON THE WINDING UP AND LIQUIDATION OF TUK STAFF RETIREMENT BENEFIT SCHEME

THAT, the Senate adopts the Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate regarding the winding up and liquidation of Technical University of Kenya Staff Retirement Benefit Scheme, laid on the Table of the Senate on Wednesday, 7th October, 2026.

ADOPTION OF REPORT ON PETITION ON ALLEGED GRABBING OF PUBLIC LAND IN KITHIMA LOCATION, MERU COUNTY

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by residents of Kithima location concerning alleged grabbing of public land in Meru County, laid on the Table of the Senate on Wednesday, 16th September, 2026.

ADOPTION OF REPORT ON PETITION ON EVICTION OF KOROGOCHO COMMUNITY LIVING ALONG NAIROBI RIVER CORRIDOR

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by Mr. Hezekiah Kuria Karanja and others concerning the eviction of Korogocho community living along the Nairobi River Corridor after its declaration as a Special Planning Area, laid on the Table of the Senate on Wednesday, 16th September, 2026.

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ADOPTION OF REPORT ON CONVERSION OF PUBLIC TO PRIVATE LAND IN PUMWANI MAJENGO

THAT, the Senate adopts the Report of the Standing Committee on Land, Environment and Natural Resources on a Petition by the Cultural Environmental Care Society concerning conversion of L.R. No. 209/2378/1 Pumwani Majengo from public to private land, laid on the Table of the Senate on Wednesday, 16th September, 2026.

(Motion deferred)

ADOPTION OF REPORT ON STAKEHOLDER FORUM ON CHALLENGES FACING THE SUGAR SECTOR

THAT, the senate adopts the Report of the Standing Committee on Agriculture, Livestock and Fisheries on Stakeholder Forum on the challenges facing the sugar sector held at Mabanga Agricultural Training College in Bungoma County on 26th May, 2026, laid on the Table of the Senate on Wednesday, 5th August, 2026.

(Motions deferred)

BILLS

Second Readings

THE BASIC EDUCATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO.59 OF 2023)

THE BASIC EDUCATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.3 OF 2025)

THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2025)

THE AGRICULTURE AND FOOD AUTHORITY (AMENDMENT) BILL (SENATE BILLS NO.13 OF 2023)

THE KENYA HEALTH PRODUCTS AND TECHNOLOGIES REGULATORY AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO.54 OF 2022)

THE QUALITY HEALTHCARE AND PATIENTS SAFETY BILL (NATIONAL ASSEMBLY BILLS NO.41 OF 2025)

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THE COUNTY WARDS (EQUITABLE DEVELOPMENT) BILL
(SENATE BILLS NO. 20 OF 2024)

THE PUBLIC SERVICE INTERNSHIP BILL
(NATIONAL ASSEMBLY BILLS NO. 63 OF 2022)

THE COUNTY GOVERNMENTS (AMENDMENT) BILL
(SENATE BILLS NO.39 OF 2024)

(Bills deferred)

ADJOURNMENT

Hon. Senators, there being no other Business on the Order Paper, the Senate stands adjourned until tomorrow, Wednesday, 25th November, 2026 at 9.30 a.m.

The Senate rose at 5.56 p.m.

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