

**COUNTY GOVERNMENT OF BUNGOMA**

**COUNTY ASSEMBLY OF BUNGOMA**

**COUNTY ASSEMBLY DEBATES**

**THE DAILY HANSARD**

**THURSDAY, 23<sup>RD</sup> APRIL, 2026**

**Afternoon Sitting**

**3<sup>rd</sup> County Assembly**

**5<sup>th</sup> Session**

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**COUNTY ASSEMBLY OF BUNGOMA**  
**THE DAILY HANSARD**  
**THURSDAY, 23<sup>RD</sup> APRIL, 2026**

The House met at the County Assembly Chamber at 2:30 p.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

**PRAYER**

**QUESTIONS AND STATEMENTS**

**Mr. Speaker:** Who is to share?

**Hon. Cornelius Makhanu:** Thank you, Honourable Speaker for this opportunity to present the tentative weekly program of the business of the County assembly. Pursuant to standing order number 42. We will be commencing Tuesday 28th to Thursday 30th April, 2026.

**Tuesday, 28th April, 2026 at 2.30 p.m.**

**Papers**

Report of the sectoral Committee on Finance and Economic Planning on Bungoma County Revenue Enhancement Action Plan.

**Notice of motion**

Report of the sectoral Committee on Finance and Economic Planning on Bungoma County Revenue Enhancement Action Plan.

**Questions and statements**

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1. Statement sought by a Member for Kaptama Ward, Hon. Francis Chemion, MCA, to get a response from the chairperson, sectoral committee on health services regarding the implementation status of the key health infrastructure projects in Kaptama Ward.
2. A member for Bumula Ward, Hon. Henry Nyongesa, MCA, to get a response from the chairperson sectoral Committee on Education and Vocational Training regarding the management and infrastructure development of early childhood development education and vocational training centres, which is seized by the County Government of Bungoma for the financial years 2023/2024 and 2024/2025.
3. A member for Bumula Ward, Hon. Henry Nyongesa, MCA, to get a response from the chairperson, sectoral Committee on Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development regarding the management and utilization of resources allocated to Mabanga Agricultural Training Centre.

### **Motion**

A report of the sectoral Committee on Gender, Culture and Social Welfare on the consideration of financial statement for the period ended 30th June, 2025.

**Wednesday, 29th April, 2026 at 9.00. a.m.**

Questions and statements

1. Member for Kibingei Ward, Hon. Aggrey Mulongo, MCA to get a response from the chairperson, sectoral Committee on Lands, Urban, Physical Planning and Housing. This is in relation to the operational and financial status of the Bungoma and Kimilili municipalities.

Motion;

Report of the Public Accounts and Investment Committee on the report of the Auditor General on the Bungoma County Assembly, Honourable Member's Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2025 and the Bungoma County Assembly Employee Car Loan and Mortgage Scheme Fund for the year ended 30th June, 2025.

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**Wednesday, 29th April, 2026 at 2.30 p.m.**

**Motion**

Report of the Public Accounts and Investment Committee on the report of the Auditor General on the County Assembly of Bungoma for the year ended 30th June, 2025.

**Thursday, 30th April, 2026 at 2.30 p.m.**

**Questions and statements**

Question from the Member for Lwandanyi Ward, Hon. Tony Barasa, MCA to get a response from the Chairperson, Sectoral Committee on Tourism, Environment, Water and Natural Resources regarding submission of financial and non-financial reports in respect to the Bungoma Water and Sewerage Company, Bwasco.

**Motion**

Report of the Budget and Appropriations Committee on the training held at the Centre for Parliamentary Studies and Training. That is the end of the tentative weekly report and I table. Thank you.

**Mr. Speaker:** Honourable Members that is our tentative weekly programme for next week. We will go by it. Any changes will be informed. Next item.

**Statement 2**

IT IS NOTIFIED THAT PURSUANT TO STANDING ORDER 47.2C, THE CHAIRPERSON, SECTORAL COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES TO RESPOND TO THE FOLLOWING STATEMENT ON THURSDAY AFTERNOON 23RD APRIL 2026

**Mr. Speaker:** Yes, we have Hon. Jack. Yes, Hon. Martin.

**Hon. Martin Chemorion:** Thank you, Honourable Speaker.

I rise to give a progress report on the statement raised by Hon. Jack Wambulwa in relation to the utilization of climate change funds within Bungoma County.

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Pursuant to standing order 54A of the County Assembly of Bungoma, standing orders, the Committee on Tourism, Environment, Water and Natural Resources hereby presents its progress report regarding the statement sought by Hon. Jack Wambulwa on the utilization of climate change funds within Bungoma County.

The statement was tabled before the Committee on Tuesday 10th March 2026.

Following this, the Committee requested a formal response from the County Executive Committee member, CECM, through a letter referenced CAB/CC/SECT/6. VoL.32 dated 10th March 2026. In reply, the CECM for Tourism, Environment, Water and Natural Resources submitted a report referenced CG/BGM/TE/CO/PCA.VOL.2 (041) dated 11th March 2026 through the Office of the Clerk to the County Assembly. The report was also shared with the owner of the statement, Hon. Jack Wambulwa .

The Committee subsequently invited the CECM to appear before it on Monday 30th March 2026 to address the following issues arising from the statement;

1. The criteria used in allocating climate-related intervention and resources across the various wards.
2. The status of tree seedlings planted by the Department across all 45 wards between 2023 and 2025.

The CECM appeared before the Committee to provide the response. However, the owner of the statement was away on official duty and requested that the meeting be rescheduled. The Committee considered the request and has since invited the CECM to a further consultative meeting scheduled for 28th April 2026 to comprehensively address the concerns raised.

The Committee seeks leave of the House to be granted additional time of 14 days to convene the consultative meeting to finalize its report and table the same before the Honourable House. Thank you.

**Mr. Speaker:** In view of having fewer days to go to recess and Hon. Jack is very patient to have the feedback, I will only grant you 7 days looking at 28th it will be on a Tuesday so on 30th we must have your feedback. So Hon. Jack equally be available o 30th so that they are able to give you feedback but on 28th I think you can be able to be part of the meeting. Yes Hon. Jack

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**Hon. Jackson Wambulwa:** I am only concerned and you need to guide accordingly because from their response they are talking of the CECM who is the CECM? As it stands now, we don't have any CECM in the County it is therefore wrong for them to come and give this kind of response maybe if it is reaching out to the Chief Officers and the Directors we should be guided accordingly but talking of the CECM I think this will be misleading and wasting our time on this response. I seek your guidance.

**Mr. Speaker:** Hon. Jack I fully agree with you. This County has no CECMs. The only thing they can tell us is we are going to look for the Chief Officers who are technical and give us a feedback. So whether you are going to bring the Director, CECM, Chief Officer before the Committee is none of our business but on 28th you must have your meeting, 30th you must give us a feedback. So Hon. Jack, I am with you. There are no CECMs in this county. Let us proceed.

## **MOTION**

### **REPORT OF THE BUDGET AND APPROPRIATIONS COMMITTEE ON MEDIUM-TERM DEBT MANAGEMENT STRATEGY PAPER 2026/2027, 2028/2029**

**Mr. Speaker:** Can you confirm your membership? Hon. Benjamin?

**Hon. Christine Mukhongo:** Overflowing.

Caleb? Meshack? Sudi? Mutiambu? Chemion? Aleu? Christine? Wekesa? Alfred? Kuloba? The quorum is attained. Proceed. Thank you Honourable Speaker.

On behalf of the Committee of Budget and Appropriations Committee, I am here to present the report on Medium-Term Debt Management Strategy Paper for the period 2026-2027 and 2028-2029.

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## CHAPTER ONE

### Preamble

It is my pleasure to present the report on the Medium Term Debt Management Strategy Paper for the period of three years 2026/27 to 2028/29 which was tabled on 28<sup>th</sup> February, 2026 and committed to Budget and Appropriations Committee for consideration.

### The Mandate of the Committee

Budget and Appropriations Committee is established under Standing Order 210 of the County Assembly of Bungoma and is mandated to:

- a) Discuss and review the estimates and make recommendation to the County Assembly;
- b) Examine the County Fiscal Strategy Paper presented to the County Assembly;
- c) Examine the County Debt Management Strategy Paper presented to the County Assembly;
- d) Examine Bills related to the County Budget, including Appropriations Bills; and
- e) Evaluate tax estimates, economic and budgetary policies and programmes with direct budget outlays.

### Committee Membership

The Committee on Budget and Appropriation as currently constituted comprises the following Members:

- |                            |                  |
|----------------------------|------------------|
| 1. Hon. Benjamin Otsiula   | Chairperson      |
| 2. Hon. Caleb Wanjala      | Vice Chairperson |
| 3. Hon. Meshack Simiyu     | Member           |
| 4. Hon. Sudi Busolo        | Member           |
| 5. Hon. Everlyn Mutiembu   | Member           |
| 6. Hon. Francis Chemion    | Member           |
| 7. Hon. Jerusa Aleu        | Member           |
| 8. Hon. Christine Mukhongo | Member           |
| 9. Hon. Alfred Mukhanya    | Member           |
| 10. Hon. Jeremiah Kuloba   | Member           |
| 11. Hon. Stephen Kaiser    | Member           |

### Acknowledgment

The Committee appreciates the Offices of the Speaker and the Clerk of the County Assembly for making this undertaking a success through the facilitation and logistical support provided during

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the report writing process. The Committee also registers its gratitude to its Members and the Secretariat for their commitment and effort in successfully compiling this report.

It is therefore my pleasant duty and privilege, on behalf of the Budget and Appropriations Committee, to table this report for consideration.

Signed by Hon. Benjamin Otsiula MCA Khasoko Ward Chairperson Budget and Appropriations Committee

## **CHAPTER TWO**

### **GUIDING PRINCIPLES IN THE EXAMINATION OF THE DEBT MANAGEMENT STRATEGY**

#### **Legal Framework**

The Debt Management Strategy Paper has been developed in accordance with Section 123 of the Public Finance Management Act, 2012 which provides as follows:

*“(1) On or before the 28<sup>th</sup> February in each year, the County Treasury shall submit to the County Assembly a statement setting out the debt management strategy of the county government over the medium term with regard to its actual liability and potential liability in respect of loans and its plans for dealing with those liabilities.*

*(2) The County Treasury shall include the following information in the statement –*

- (a) The total stock of debt as at the date of the statement;*
- (b) The sources of loans made to the county government;*
- (c) The principal risks associated with those loans;*
- (d) The assumptions underlying the debt management strategy; and*
- (e) An analysis of the sustainability of the amount of debt, both actual and potential.*

*(3) As soon as practicable after the statement has been submitted to the County Assembly under this section, the County Executive Committee Member for Finance shall publish and publicize the statement and submit a copy to the Commission on Revenue Allocation and the Intergovernmental Budget and Economic Council.*

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*Further, Article 212 of the Constitution of Kenya provides for borrowing powers by Counties on guarantee by the National Government.”*

Regulation 182(2) (d) of the Public Finance Management (County Governments) Regulations 2015 requires the preparation of the County Medium Term Debt Strategy to be consistent with the County Fiscal Strategy Paper.

Further Section 140(1) (c) (d) of the Public Finance Management Act 2012 provides that

(1) A County Executive Committee Member for Finance may, on behalf of the county government, raise a loan for that Government's purposes, only if the loan and the terms and conditions for the loan are set out in writing and are in accordance with—

- a) Article 212 of the Constitution;
- b) Sections 58 and 142 of this Act;
- c) The fiscal responsibility principles and the financial objectives of the county government set out in its most recent County Fiscal Strategy Paper; and
- d) The Debt Management Strategy Paper of the county government over the medium term.

(2) A loan may be raised either within Kenya or outside Kenya.

Article 212 provides that “A county government may borrow only—

- a) If the national government guarantees the loan; and
- b) With the approval of the county government’s assembly

Section 142 of Public Finance Management Act 2012 states that:

***1) The County Assembly may authorize short term borrowing by county government entities for cash management purposes only.***

***(2) Any borrowing under sub-section (1) may not exceed five percent of the most recent audited revenues of the entity.***

***(3) A county government entity that has any such borrowing shall ensure that the money borrowed is repaid within a year from the date on which it was borrowed.***

Mr. Speaker Sir, it is worth noting that the linkage between the County Fiscal Strategy Paper (CFSP) and Medium Term Debt Management Strategy Paper (MTDMSP) cannot be overlooked and this explains why the two documents are tabled on the same day.

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It should be understood that approving the Medium Term Debt Management Strategy Paper does not in itself authorize the County Government to borrow but it only gives a framework and an additional strategy which the County Government can pursue to fund deficit in its budget.

The National Government is guarantor for all debts accrued by the County Governments therefore County government can borrow only if and when the National Government approves. These powers are vested in the Cabinet Secretary for Finance who guarantees the loans by County Governments and this is approved by Parliament.

However, the County loans will be guaranteed by the National Government only if the following Fiscal Responsibility Principles are adhered to:

1. Over the medium term a minimum of thirty percent of the County Government's budget shall be allocated to the development expenditure.
2. The County Government expenditures on wages and benefits for its public officers shall not exceed 35% of the County Government total revenue.
3. Over the medium term the County Government's borrowing shall be used only for the purposes of financing development expenditure and not for recurrent expenditure.
4. The County debt shall be sustained at 20% of the most recently audited revenues and the cost of debt shall not exceed 15%.
5. A reasonable degree of predictability with respect to the level of tax rates and tax bases shall be maintained taking into account any tax reforms that may be made in the future.
6. The fiscal risk shall be managed prudently.

### **Procedure for borrowing by the County Government**

Mr. Speaker Sir, pursuant to Section 58 PFMA, the following procedure will apply when County Government wants to borrow especially long term borrowing:

- a) The County Executive Committee Member for Finance shall submit the borrowing proposal to the County Executive Committee for approval of the borrowing including its terms and conditions;
- b) After approval by the County Executive Committee, the County Executive Committee Member for Finance shall submit the signed loan agreement and a sessional paper to the County Assembly for approval of the borrowing, including its broad terms and conditions;
- c) After obtaining the approval of the County Assembly, the County Executive Committee Member for Finance shall submit the final draft loan financing agreement and the

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- approval of the County Assembly to the Cabinet Secretary requesting for the guarantee of the final loan financing agreement;
- d) The Cabinet Secretary, after receiving the request from the county government, shall seek the recommendations of the Inter-governmental Budget and Economic Council;
  - e) The Cabinet Secretary to the National Treasury, after receiving recommendations of the Inter-governmental Budget and Economic Council, shall seek the recommendations of the Attorney-General;
  - f) The Cabinet Secretary may, upon taking into account the recommendations of the Intergovernmental Budget and Economic Council and the Attorney-General, approve or reject the request;
  - g) The Cabinet Secretary shall reject a request for loan guarantee with reasons and communicate the same to the concerned County Executive Committee Member for Finance.
  - h) Upon approval of a loan guarantee request, the cabinet secretary shall submit a sessional paper to parliament with recommendations seeking its approval;
  - i) The Cabinet Secretary shall communicate the decision of Parliament on the draft loan guarantee to the respective County Executive Committee Member for Finance; and
  - j) Upon approval by the parliament the Cabinet Secretary shall issue a loan guarantee.
  - k) After receiving the communication of the decision of the Parliament on the draft loan guarantee, the County Executive Committee Member shall report to the County Assembly of the decision.

### **CHAPTER THREE**

#### **SCRUTINY OF THE MEDIUM TERM DEBT MANAGEMENT STRATEGY PAPER FOR FY 2026/27 TO FY 2028/29**

##### **Introduction**

Mr. Speaker Sir, the Medium Term Debt Strategy Paper FY 2026/27 to FY 2028/29 is the 8<sup>th</sup> prepared by the County Government and the 4<sup>th</sup> under CIDP 2023-2027. It sets out the debt management strategy of the County Government over the medium term with an aim of guiding prudent debt management and minimizing high cost associated with excess borrowing.

The County MTEF budget for FY 2026/27 and the medium term projections shows an enlarging financing gap thus justifying the need for this strategy paper. The required budget based on CIDP 2023-2027 is Kshs. 100.2 billion for the FY 2026/27 to 2028/29 while revenue projections are

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Kshs. 48.7 billion implying that only 48.6% of the budget requirement can be financed leaving a financing gap of Kshs. 51.5 billion. In order to finance budget deficit and bridge the gap between resource requirements and allocation with National Government guarantees, Bungoma intends to initiate borrowing domestically and externally.

This paper has also highlighted the magnitude outstanding financial obligations resulting from the accounts payable across the departments totalling to Kshs. 2.9 billion.

### **Goals and Objectives**

Mr. Speaker Sir, the Debt Management Strategy covers three years with provisions for annual review. The main objectives of the Medium-Term Debt Management Strategy Paper are as follows:

- a) To provide appropriate guideline and direction to assist in making sound debt management decisions with strong financial management practices for posterity.
- b) To meet the County Governments financing requirements at the least cost with a manageable degree of risk.
- c) To guide county government debt management operations in the FY 2026/27 and in the medium term.
- d) To balance cost and risk of county debt while taking into account the County Government financing needs by incorporating initiatives to seek new funding sources, support the County Government development priorities and achieve debt sustainability.
- e) To diversify the governments funding sources and their investment portfolio.
- f) To advance measures to maintain and develop an efficient domestic debt market.

### **Debt Management Strategy Finance Principles**

The following principles should be adhered to;

- i. The debt must be for capital projects
- ii. The debt must be guaranteed by National Government
- iii. The debt must be contracted to support expenditure in identified County priority areas that are transformative
- iv. Prudence must be observed when contracting debt taking into account the cost and risk implications
- v. Financing must be pegged on debt sustainability over the long term

### **Bungoma County Liabilities**

Mr. Speaker Sir,

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The County accumulated accounts payable amount to Kshs. 2,915,663,504.84 as at June 2025. The County formed a pending bill committee to address the issue and based on its recommendations, the County Government adopts a three-year phased payment plan for settlement of pending bills, allocating 40% in Year 1, 35% in Year 2, and 25% in Year 3. Payments under this plan shall be prioritized in the following order:

- a) Claims attracting interest and penalty charges to be given priority to minimize financial exposure;
- b) Critical suppliers, including health facilities, utilities, and ongoing projects;
- c) Older claims to be settled before newer claims; and
- d) Other verified suppliers

The County Government projects to borrow Kshs. 2,661,493,236.80 in total which would be the maximum allowable at 20% of Kshs.13,307,466,184 (Actual revenue) arising from last audited accounts 2024/25. The negotiated interest rate of 7% p.a on reducing balance means the repayment will be Kshs. 292,098,882.74 per annum over next 15 years. The total repaid amount at the end of 15 years amounts to Kshs. 4,381,483,241.1 hence the loan will cost the County Kshs. 1.7 billion in the 15years.

### **Strategies for debt management in the Medium Term**

**Mr. Speaker Sir,**

The County Debt Management Strategy paper presents three main strategies that County Government of Bungoma will explore in the next three years in debt management. These strategies include: -

#### **Strategy 1: External Financing (Semi and concessional) and some domestic bond financing.**

Mr. Speaker Sir, External debt refers to loans that a country or entity borrows from foreign lenders, which can include foreign commercial banks, foreign governments, and international financial institutions such as the International Monetary Fund (IMF) or the World Bank. One key characteristic of external debt is that all payments, including interest and principal repayments, must be made in the currency in which the debt was issued. This means that if a country borrows in US dollars, for example, it must repay the loan and interest in US dollars, which can expose it to currency exchange rate risks.

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This strategy evaluates the cost and risk aspects of a continuation of current borrowing practices for Bungoma County which will form a benchmark for examining different approaches. This strategy is based on current practice of external and domestic borrowing and therefore does not best address the priority issues of foreign exchange risk, liquidity and repayment risk, creditor concentration risk and refinancing risk.

The following are the risks associated with this strategy:

- a) **Affects economic growth:** Economic growth occurs when governments and companies incur capital expenditures that boost production and increase output and income levels. If large amounts of external debt need to be repaid, then there is less money left for investment purposes. It hampers future economic growth.
- b) **Long gestation period:** Gestation period is the interim period between the initial investment in a project and the time the project becomes productive. When external debt is used to fund infrastructure projects, it takes a few years for the project to start giving a return on the investment. However, the debt will need to be repaid, along with interest, within a provided time of receiving the loan. Thus, government will face the pressure of repaying the loan even before the project starts yielding a stable return.
- c) **Unexpected devaluation of domestic currency:** If the currency of the borrowing country depreciates with respect to that of the lending country, then the real value of interest (as denominated in the domestic currency) will rise.
- d) **The Vicious Cycle of Debt:** The most crucial disadvantage of external debt is that it often leads to a vicious cycle of debt. The debt cycle refers to the cycle of continuous borrowing, accumulating payment burden, and eventual default. When a government's expenditure exceeds how much it earns in a year, it faces a fiscal deficit. In order to finance the adverse gap, the government borrows money from another country. In the next year, with the additional expense of interest payment and loan repayment, the government might face a deficit again and be forced to take another external loan. In subsequent years, there might be a situation where it borrows money in order to repay its previous loans.

## **Strategy 2: Negotiated domestic borrowing and utilization of securities market**

Domestic borrowing refers to a government raising funds within its own country's financial markets. This is typically done through the issuance of various securities such as treasury bills and treasury bonds. Treasury bills are short-term debt instruments with maturities ranging from 91 days to 364 days, while treasury bonds have longer maturity periods, typically exceeding one

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year. These securities are used by governments to meet short-term funding needs (treasury bills) or to finance long-term projects and expenditures (treasury bonds).

The risks associated with this strategy are as listed;

- a) Domestic borrowing could lead to pressure on institutional investors and banks to absorb “too much” government debt and this may have a negative effect on financial stability.
- b) Expanding the market for domestic government bonds may have the risk that the public sector may crowd out private issuers.
- c) Finally, there are political economy reasons that may make domestic debt more difficult to restructure. In fact, a few highly indebted countries which were able to use debt relief initiatives to address their external debt problems are still burdened with high levels of domestic debt.

### **Strategy 3: External financing and some domestic bond financing**

This is where the County combines both external and domestic financing in order to take advantage of the medium to high risk mainly due to the foreign exchange factor and low to medium cost in relation to County revenues. With gradual development of the domestic market this would provide a more balance composition of the public debt with less external debt and more domestic debt.

**Bungoma County intends to use this third option** which allows the county to source funding from both External and Internal sources of funding but with emphasis on Domestic borrowing in order to minimize the risks associated with external borrowing.

### **General Risks associated with Debts**

There are many inherent risks in any debt portfolio. The County Government of Bungoma should employ measures to mitigate these risks and to minimize the impact of various exogenous shocks on the debt portfolio.

**Creditor Concentration Risk:** This refers to risks associated with most of the debt portfolio being held by one or two creditors. Those who hold a large proportion of debt could have a vested interest in the course of a county’s affairs and could potentially have an undue influence in policy development hence the investor base should be diversified and expanded.

**Credit Risk of on-lent and guaranteed loans:** When the level of outstanding on-lent loans from County Government of Bungoma is high, there is an implicit exposure to default and non-payment of obligations even when the loans are guaranteed. Deeper analysis and oversight required on this transaction.

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**Operational Risk:** This arises from a small staff size and limited capacity. The difficulty in establishing the Debt Management office is a risk for Treasury and the County Government of Bungoma in general.

**Strategic Risk:** Strategic risk is the risk that decisions made about management of the debt portfolio have a high opportunity cost. If the County Government of Bungoma decides not to borrow, then it could miss out on grant funding. If decisions to borrow for particular projects do not match expectations, then this money could have been better spent elsewhere on more beneficial projects. Money spent on servicing debt might be better spent on providing essential services.

**Financial Risk:** In this case, County Government of Bungoma's portfolio management is so poor that it creates a source of instability for the private sector, less money is available for servicing the county's basic needs which could undermine development. A build-up of debt arrears might negatively influence investor confidence, weakening private sector activity, leading to a withdrawal of investment in the county, a decline in growth prospects and a further increase in debt to revenue ratios. This is an extreme risk.

**Market Risk:** Refers to the risks associated with changes in market prices, such as interest rates, exchange rates, commodity prices, on the cost of the government's debt servicing.

**Rollover Risk:** The risk that debt will have to be rolled over at an unusually high cost or, in extreme cases, cannot be rolled over at all. To the extent that rollover risk is limited to the risk that debt might have to be rolled over at higher interest rates, including changes in credit spreads, it may be considered a type of market risk.

**Liquidity Risk:** This refers to a situation where the volume of liquid assets can diminish quickly in the face of unanticipated cash flow obligations and/or a possible difficulty in raising cash through borrowing in a short period of time.

**Credit Risk:** The risk of non-performance by borrowers on loans or other financial assets or by a counterparty on financial contracts.

**Settlement Risk:** Refers to the potential loss that the government, as a counterparty, could suffer as a result of failure to settle, for whatever reason other than default, by another counterparty.

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**COMMITTEE'S OBSERVATIONS AND RECOMMENDATIONS:****Committee Observations**

The Committee after analyzing the Debt Management Strategy Paper made the following observations;

1. The County's Medium-Term Expenditure Framework reflects a significant financing gap, approximately 48.6% of the total budgetary requirements funded through own-source revenues and equitable share. Consequently, the County proposes to bridge this deficit through borrowing amounting to Kshs. 2.66 billion. While this approach may support the financing of priority development projects, it is likely to result in increased debt servicing obligations over the medium to long term, thereby constraining fiscal space and potentially crowding out funding for other critical service delivery priorities.
2. The County Government of Bungoma continues to carry a substantial stock of verified pending bills amounting to approximately **Kshs. 2.92 billion**, the majority of which relates to development expenditures. This significant accumulation of arrears undermines the principles of fiscal discipline and prudent financial management as envisaged under **Section 107(2) of the Public Finance Management Act, 2012**, and exposes the County to potential financial risks, including accumulation of interest, penalties and strained supplier relationships.
3. The draft Medium-Term Debt Management Strategy largely complies with the provisions of the **Public Finance Management Act, 2012** and the **Public Finance Management (County Governments) Regulations, 2015**, having been prepared in accordance with the statutory requirements and adhering to key fiscal rules, including the prescribed **20% debt threshold**. However, the Committee notes the omission of the short-term borrowing as per the provisions of PFMA 2012 Section 107(3) which permits short-term borrowing for cash flow management and limits such borrowing to a maximum of 5% of the most recent audited County Government Revenue.
4. While the Medium-Term Debt Management Strategy underscores the importance of regular monitoring, stakeholder engagement, and transparent reporting, it does not provide a clearly defined Monitoring and Evaluation (M&E) framework or measurable performance indicators to track implementation and outcomes. The absence of specific metrics, reporting timelines, and accountability mechanisms may limit effective oversight, transparency, and the ability to assess the sustainability and impact of debt-financed interventions.
5. The County Government of Bungoma's decision to borrow is vested in the County Assembly

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of Bungoma as the 1<sup>st</sup> approver. If the County Assembly is of the opinion that the County Government's borrowing carries substantial financial risk, may attract high cost of servicing and is a threat to the County's budgeting and service delivery, then the Assembly can deny approval for the borrowing.

6. The Committee notes that the County Government can borrow up-to a maximum of Kshs. 2,661,493,236.80 for development (Long-term borrowing), which represents 20% of actual revenue from the last audited accounts, to be serviced over 15 years at an interest rate of 7% p.a on reducing balance. The actual revenue from last audited account stood at Kshs. 13,307,466,184.

7. It is clear that some of the pending bills date back to the year 2013 to 2019. They have stayed in the list of pending bills for a period long enough to fall afoul of section 4 of the limitation of actions Act cap 22.

8. Some pending bills dating from 2013 to 2019 have remained unsettled beyond the statutory period provided under Section 4 of the Limitation of Actions Act (Cap 22), which generally limits the recovery of contractual debts to six years.

### **Committee's Recommendations**

Based on the above observations, the Committee recommends as follows;

- 1. THAT**, the County Government of Bungoma, through the County Treasury, should enhance domestic resource mobilization by strengthening own-source revenue collection mechanisms and optimizing the utilization of available grants. Further, the County should implement prudent fiscal consolidation measures, including rationalization of expenditures through prioritization of critical projects, deferral of non-essential initiatives and improvement of procurement efficiency, with a view to minimizing budget deficits and reducing reliance on borrowing.
- 2. THAT** the County Government of Bungoma should adopt a structured and time-bound approach to the settlement of pending bills through the implementation of a three-year phased payment plan, allocating approximately **40% in the first year (FY 2026/27), 35% in the second year, and 25% in the third year.** In executing this plan, priority should be accorded to claims attracting interest and penalties, as well as critical service providers, including those in the health sector and essential utilities, in order to mitigate further financial exposure and ensure continuity of essential services.

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3. **THAT** the Debt Management Strategy Paper, 2026 should include short-term borrowing as per the provisions of PFMA 2012 Section 107(3) which permits short-term borrowing for cash flow management. The limit of the Short-term borrowing is set at a maximum of Kshs. 665,373,309.20.
4. **THAT** the County Treasury to institutionalize the publication of quarterly debt status reports to enhance transparency and accountability and set prudent fiscal targets, including maintaining debt service levels within sustainable thresholds. Further, the County Debt Management Unit should be established which in collaboration with the County Planning Directorate, should be mandated to regularly track, evaluate and report on the performance and outcomes of all debt-financed projects and accounts payable.
5. **THAT**, the County Government of Bungoma adopts Strategy 3; external financing and some domestic bond financing, which will allow the county to source for funding from both External and Internal sources of funding but with emphasis on domestic borrowing in order to minimize the risks associated with external borrowing.
6. **THAT**, the County Treasury should conduct a comprehensive cost-benefit analysis for all proposed development projects to be funded through the long-term borrowing of Kshs. 2,661,493,236.80. This analysis should prioritize projects with high economic and social returns that will generate sufficient revenue streams to support debt servicing. Additionally, the County Treasury should negotiate for more favorable interest rates below the 7% p.a, potentially through competitive bidding among financial institutions, to reduce the overall debt servicing burden which would amount to approximately Kshs. 4.9 billion over the 15-year period (principal plus interest).
7. **THAT**, the County Treasury to liaise with the office of the County Attorney in view of the provisions of Section 4 (1) (a) of the limitation of Actions Act as far as aging pending bills are concerned.

## CONCLUSION

The approval of this Medium-Term Debt Management Strategy Paper for FY 2026/27 - 2028/29 by this House will provide the framework for the County Government of Bungoma to pursue for additional funds to finance its budget deficits especially on development expenditures.

Thank you, Honourable Speaker. Having reached there, I call Hon. Francis Chemion to second the motion.

**Mr. Speaker:** Thank you Hon. Christine. Hon. Francis Chemion you are allowed to proceed and second the motion.

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**Hon. Francis Chemion:** Thank you, Honourable Speaker. I will take a very short time to second this motion, for members' benefit, this is a Debt Management Strategy Paper.

It is meant to give a criteria of borrowing, both short and long term for the purposes of facilitating County programs. Honourable Speaker, the short-term borrowing is usually done to manage cash flow within the County. Most of the time the cash flow is through managing payments of recurrent and operational issues. And from the paper, the figure has been given very well, the County government intends if it will have issues with the cash flow, they will have to borrow something from the banks.

We also have long-term borrowing, which is done to facilitate development issues only and it has a stringent procedure of applying, verification, qualification for a County government to be allowed to borrow. In this case, Honourable Speaker, 2.66 billion is the target of the County government of Bungoma. If it were to borrow, if it were to meet the criteria, if it were to qualify to borrow from both outside and inside Kenya, they could only borrow up to 2.66 billion, but if you look at the qualification and the criteria, they even look at the pending bills. How are you managing your pending bills; how are you raising your own source revenue in the previous year. They look at that.

So if you looked at how we are managing our pending bills, how we are managing own source revenue. We have just done this as a procedure because we don't qualify. If you looked at the criteria that has been given in that report, but because it is something that must be done, the Executive has prepared it, and it has brought it in time because the law allows them to bring it before 28th of February, which they did. Now we are processing it so that we also comply with the law, and the articles have been given. Members, the mover has ably gone through the articles of the Constitution of Kenya that provides for this, very many of them, which I may not want to repeat because, members, I saw you were very active following this debt strategy management paper.

Honourable Speaker, very few Counties have managed to do long-term borrowing. In fact from our research, it may not be more than one County that has ever achieved this, so it is not a mean achievement to do that. It requires very many approvals, up to and including the higher levels, the national government, the County Assembly, for a County government to be given the long-term loans. And that was done purposely because if it were very easy, some of the Counties could go for billions, squander, and then they just go away, then the burden comes back to the people of the County.

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In short, Honourable Speaker, this paper is talking about short-term and long-term borrowing, and it is our mandate as a County Assembly then to adopt this report so that we comply with the law.

Honourable Speaker, I second, I don't want to belabor much because it's a brief report. Thank you, Honourable Speaker.

**Mr. Speaker:** Thank you, Hon. Francis Chemion for seconding the committee's report that was moved by Hon. Christine Mukhongo.

Allow me now proceed to propose a motion for debate before the House;

*Question proposed)*

Honourable members, in view of no contributors, it simply means the mover can't respond, therefore, I'll proceed to put a question to the motion;

*(Question put and agreed to)*

The report is approved.

## **ADJOURNMENT**

Honourable Members, from my officers here that was the last item on our Order Paper. We therefore adjourn today and resume our sitting on 28th of April, 2026, in our 2.30 p.m. Session.

*The House rose at 3.47 p.m.*

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