

COUNTY GOVERNMENT OF BUNGOMA

COUNTY ASSEMBLY OF BUNGOMA

COUNTY ASSEMBLY DEBATES

THE DAILY HANSARD

TUESDAY 28TH JULY, 2026

Afternoon Sitting

**3rd County Assembly
Version 00**

**5th Session
Revision 00**

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COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

TUESDAY 28TH JULY, 2026

The house met at 2:30p.m.

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

PRAYERS

COMMUNICATION FROM THE CHAIR

Mr. Speaker: Honorable Members, in our Public Gallery, we have students from two schools that have come to visit and learn from us. It is my pleasure to welcome the students and teachers from the two visiting schools as below.

Friends Senior Secondary School Wabukhonyi in Ndivisi Ward, Webuye East Sub County. It consists of 48 Students and four teachers. Students from Wabukhonyi Secondary School be upstanding

(Students stood)

(Applause)

Kindly resume your seats.

They are accompanied by four teachers namely:

1. Mr. Emmanuel Nalianya,
2. Ms. Neema Lumbasi
3. Jackson Simiyu

Be upstanding;

(Applause)

Kindly resume your seats please.

Version 00

Revision 00

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The second school is ACK St. Johns Chepkube Senior Secondary School in Cheptais Ward of Mt. Elgon Sub County. The delegation comprises of 36 students and 3 teachers. Students in the upper gallery be upstanding!

(Students stood)

Kindly resumes your seats.

They are accompanied by the following teachers;

1. Mr. Timothy Chemos
2. Ms. Sheila Werunga
3. Mr. Joel Wanambuko

Be upstanding.

(Applause)

Kindly resume your seats accordingly.

Honorable Members, the primary objective of their educational visit is to expose students to the actual working of the County Assembly including the plenary session, so that they can be able to relate the classroom theory to the devolution and the daily practice.

At the statement hour, I will be able to allow Honourable Members to make brief comments, words of inspiration and encouragement to the learners from the two schools.

Let us proceed.

PAPERS

BUNGOMA COUNTY DISASTER AND EMERGENCY MANAGEMENT FUND QUARTERLY REPORT AND FINANCIAL STATEMENT FOR THE PERIOD ENDED JUNE 30TH 2026 AND DISBURSEMENT OF SCHEDULE TO THE COUNTY ASSEMBLY FUND FOR FY 2026/2027

Mr. Speaker: Yes, Hon. Vitalis. It is working.

Hon. Vitalis Sifuna (Member Finance) : Thank you, Mr. Speaker. I hereby table the report on Bungoma County Disaster and Emergency Management Fund Quarter Report and Financial Statement for the period ended June 30th 2026.

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Revision 00

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(Report tabled by Hon. Vitalis Wangila)

Mr. Speaker: Hon. Vitalis, once you table, it is passed over to the Speaker. Honourable Members, the Bungoma County Disaster Emergency Management Fund Quarterly and Financial Statements for the period ending 30th of June is tabled and I will be able to urge the individual sector committee to extract each individuals department, have the same processed and report back to the House.

We are missing item number two; Disbursement schedule of the County Assembly Fund. Vitalis back to you.

**REPORT OF THE PUBLIC ACCOUNTS AND INVESTMENT COMMITTEE ON CONSIDERATION OF
REPORTS OF THE AUDITOR GENERAL ON BUNGOMA COUNTY LEVEL FOUR AND LEVEL FIVE
HEALTH FACILITIES FINANCIAL YEAR 2024/2025**

Hon. Vitalis Wangila: Thank you, Mr. Speaker. I hereby table the disbursement schedule of the County Assembly Fund for FY 2026/2027.

(Report tabled by Hon. Vitalis Wangila)

Mr. Speaker: Honourable Members, this document is committed to the Committee on Finance and Economic Planning for processing and reporting back to the House.

**REPORT OF THE PUBLIC ACCOUNTS AND INVESTMENT COMMITTEE ON CONSIDERATION
OF THE AUDITOR GENERAL REPORT ON BUNGOMA COUNTY LEVEL FOUR AND LEVEL
FIVE HEALTH FACILITIES FINANCIAL YEAR 2024/2025**

Mr. Speaker: Yes Chair PAIC, Hon. Everton, Nganga.

Hon. Everton Nganga (Chairperson PAIC): Thank you, Honorable Speaker. Allow me table a report of the Public Accounts and Investment Committee on the Auditor General Report on Bungoma County Level 4 and 5 health facilities for the Financial Year 2024/2025.

(Report tabled by Hon. Everton Nganga)

Mr. Speaker: Honourable Members, the report of the Public Account and Investment Committee on consideration of the report of the Auditor General on Bungoma County Level 4 and 5 health facilities for the Financial Year 2024/2025 is hereby tabled and formally becomes the property of the House.

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REPORT OF THE SECTORIAL COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES ON CONSIDERATION OF THE FIRST AND SECOND QUARTER FINANCIAL STATEMENT AND REPORT FOR THE PERIOD ENDED 31ST DECEMBER 2025

Mr. Speaker: Yes, Hon. Martin Chemorion,

Hon. Martin Chemorion (Member Tourism): Thank you, Honorable Speaker. I table the report of the sectoral Committee on Tourism, Environment, Water and Natural Resources on consideration of First and Second Quarter Financial Statements and reports for the period ended 31st December 2025.

(Report tabled by Hon. Martin Chemorion)

Mr. Speaker: Honorable Members, the report of the sectoral Committee on Tourism, Environment, Water and Natural Resources on consideration of the First and Second Quarter Financial Statements for the period ended 31st December 2025 is hereby tabled by the sectorial committee and the same becomes before the House.

NOTICES OF MOTION

REPORT OF THE PUBLIC ACCOUNTS AND INVESTMENT COMMITTEE ON CONSIDERATION OF THE REPORT OF THE AUDITOR GENERAL ON BUNGOMA COUNTY LEVEL 4 AND 5 HEALTH FACILITIES FOR THE FINANCIAL YEAR 2024/2025

Mr. Speaker: Hon. Nganga, proceed.

Hon. Everton Nganga: Thank you, Honorable Speaker. I rise to give a notice of motion of the report of the Public Accounts and Investment Committee on consideration of reports of the Auditor General on Bungoma County Level 4 and 5 health facilities for the Financial Year 2024/2025.

Mr. Speaker: Honourable Members, a notice of motion having been duly issued by the Committee on Public Accounts and Investment on its report consideration for the Auditor General's report for County Level 4 and Level 5 health facilities for the Financial Year 2024/2025. The same should be shared with the Honourable M.C.A's. It is going to come up as a motion on our Order Paper in the course of the week once scheduled by the HBC.

REPORT OF THE SECTORIAL COMMITTEE ON TOURISM, ENVIRONMENT, WATER AND NATURAL RESOURCES ON CONSIDERATION OF THE FIRST AND SECOND QUARTER FINANCIAL STATEMENTS AND REPORTS FOR THE PERIOD ENDED 31ST DECEMBER 2025

Mr. Speaker: Yes, Hon. Martin

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Hon. Martin Chemorion: Hon. Speaker, I rise to issue a notice of motion that this House adopts a report of the sectoral committee on Tourism, Environment, Water and Natural Resources on consideration of First and Second Quarter Financial Statements and reports for the period ended 31st December 2025.

Mr. Speaker: Thank you. Equally, the Sector Committee on Tourism, Environment, Water and Natural Resources has duly issued a notice of motion on its report of the First and Second Quarter Financial Statements for the period ending 31st December 2025.

I urge the clerks to share the same with the Honorable MCA's on their gadgets; the same will come up as a motion on our Order Paper once scheduled by the HBC.

QUESTION AND STATEMENTS

HOUSE BUSINESS FOR THE WEEK COMMENCING TUESDAY 28TH TO THURSDAY 30TH JULY 2026

Mr. Speaker: Honorable Psero, you proceed and share the tentative Order Paper of the week with the Committee.

Hon. Jacob Psero: Mr. Speaker Sir, allow me to present to this House a weekly program of the business of the County Assembly pursuant to Standing Order No. 42, commencing Tuesday 28th to Thursday 30th July 2026.

Tuesday 28th July 2026 at 2:30 p.m.,

Papers

1. Bungoma County Disaster and Emergency Management Fund Quarterly Report and Financial Statements for the period ended June 30th, 2026.
2. Disbursement schedule to County Assembly Fund for Financial Year 2026/2027

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3. Report of the Public Accounts and Investment Committee on consideration of reports of the Auditor General on Bungoma County Level 4 and Level 5 Health Facilities Financial Year 2024/2025.

4. Report of the sectorial committee on Tourism, Environment, Water and Natural Resources on consideration of the First and Second Quarter Financial Statement and Reports of the period ended 31st December 2025..

Notice of motion

1.that this House adopts the report of the Public Accounts and Investment Committee on consideration of reports of the Auditor General on Bungoma County Level 4 and Level 5 Health Facilities financial year 2024-2025.

2. That this House adopts the report for the sectorial Committee on Tourism, Environment, Water and Natural Resources on consideration of the first and second quarter financial statement and reports for the period ended 31st December 2025.

Questions and statements

A member of the House Business Committee pursuant to the provision of the Standing Order 47 (2) (a), a statement informing the County Assembly of the weekly business coming before the House from Tuesday 28th to Thursday 30th June 2026.

Motion

1. Report of the sectorial Committee on Health Services on Status of the Equipment in Bungoma County Referral Hospital, BCRH, in consideration of amendments to committee recommendations.

2. Report of the sectorial Committee on Finance and Economic Planning on consideration of tariffs and pricing policy 2026.

3. Approval of nomination of members to serve in committees.

Wednesday 29th July 2026 at 9:30 a.m.

Papers

1. Report of the sectorial Committee on Trade, Energy, and Industrialization consideration of Financial Statements for the Department of Trade, Energy, and Industrialization for the period ending 31st December 2025.

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2. Report of the sectorial committee on Agriculture, Livestock, Fisheries, Irrigation and Co-operative Development on consideration of the First and Second Quarter Financial Statements and reports for the period ended at 31st December 2025.

Notice of motion.

1. That this House adopts the report of the sectorial Committee on Trade, Energy and Industrialization on consideration of financial statement for the Department of Trade, Energy and Industrialization for the period ending December 2025.

2. That the House adopts the report of the sectorial Committee on Agriculture, Livestock, Fisheries, Irrigation and Co-operative Development on consideration of the First and Second Quarter Financial Statements and reports to the period ending that 31st December 2025.

Motion

1. Report of the Public Accounts and Investment Committee on consideration of the reports of the Auditor General on Bungoma County Level 4 and Level 5 health facilities Financial Year 2024/2025.

2. Report on the Sectorial Committee on Youth Affairs and Sports on talent development and nurturing in Bungoma County.

Wednesday, 29th July 2026 at 2:30 p.m.

Motion

1. A report of the sectorial committee on Tourism, Environment, Water and Natural Resources on consideration of the First and Second Quarter Financial Statements and reports for the period ended 31st December 2025.

2. Report of the sectorial committee on Trade, Energy and Industrialization on the consideration of Financial Statements for the Department of Trade, Energy and Industrialization for the period ending 31st December 2025.

Thursday, 30 July 2026 at 2:30 p.m.

Motion

1. Report of the sectorial committee on Agriculture, Livestock, Fisheries, Irrigation and Corporate Development on the consideration of the first and Second Quarter Financial Statements and reports for the period ended 31st December 2025.

Version 00

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2. Report of the Committee of Powers and Privileges on the Technical Capacity Building on the Conflict of Interest Act 2025 and other integrity frameworks.

3. Alteration of the calendar and adjournment to be presented by the Leader of the Majority Party.

That is the end of our tentative weekly program for the period mentioned 28th Tuesday - Thursday, 30th July 2026. I rest my case.

Mr. Speaker: You don't rest your case here. You share what you have moved with the Speaker.

Honorable Members, that is the tentative weekly program for today, tomorrow and Thursday as planned by HBC.

Next item,

ENCOURAGEMENT MESSAGES TO THE VISITING SCHOOLS

Honorable Members, at this juncture, allow me to invite the Honorable Members to encourage our visiting schools; we start with Hon. Alfred then Martin, afterwards I will allow other speakers to make some brief remarks. Hon. Mukhanya, proceed.

Hon. Alfred Mukhanya: Thank you, Mr. Speaker. In our gallery, we have teachers and students from Wabukhonyi Secondary School. Wabukhonyi is based in Ndivisi Ward, along the Webuye-Kitale road, immediately after River Kibisi as you are going to Kamukuywa-Kitale. These are the students who are mostly in Form Four, along with their teachers. I welcome them.

Today, you are in the Assembly of Bungoma, where we have members who normally represent various wards in Bungoma County. As you are aware, Wabukhonyi is a senior school; it is one of the oldest schools in Webuye East Sub-County.

It is a well-performing school that actually came from nowhere, and the majority of those who have passed through that school are now in senior positions somewhere within the country.

As I welcome my students and teachers, I hope they were given enough of an introduction to most of the facilities in the county, and that they have learned, at least from where they are, what happens within the county, so that when they go back they will know. Within our Assembly, as you can see, teachers and students, we have the Speaker at the front, followed by the clerks and the MCAs, who represent various wards. You were taken round by our sergeants, and I think from what they have done, it is good enough for you to know what happens here, and when you go for your exams, you will know what to answer.

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I am encouraging my students that if you have a blanket, you can never miss knowing where to sleep, meaning that if you have a certificate, you can be anywhere within the country. That is what education means, and this is the basis of everything else.

Without saying much more, I have colleagues who may also want to say one or two words before we come to the end of this session.

Mr. Speaker: Honorable Alfred, just end it there, because it appears that you have taken over my role.

(Laughter)

Hon. Alfred Mukhanya: No, Mr. Speaker, thank you.

Mr. Speaker: I am not going to allow you to share it.

Hon. Alfred Mukhanya: Thank you. I will end there, Mr. Speaker.

Mr. Speaker: Thank you. Hon. Martin.

Hon. Martin Chemorion: Mr. Speaker, may I take this opportunity to welcome my school, ACK Chebkube, which is at a far-flung part of Kenya. It is hardly a kilometer away from the Lwakhakha border at the Kenya-Uganda border. I want to thank you for finding the time to visit this Assembly, where your people's representative sits, where your voice is heard through your representative, who happens to be one Hon. Martin Cheseto Chemorion. I take pride in this school because it is changing lives.

We know that wherever there is a school, there is a community near a border, or a border between different countries. There are some opportunities which are positive and some which are negative. The positive ones allow you to do business and make money. The negative ones include vices such as cross-border theft and the smuggling of illicit brew.

So I want to thank this school for being at the forefront of molding the students within that community. I take pride in you, and I respect you so much. As you visit this Assembly, remember that this Assembly is for your parents and families back at Cheptais Ward, because I, as your representative, represent your interests, and whatever you wish to have, it is I who carries it forward.

This Assembly performs a lot of functions, especially when it comes to community projects. This Assembly appropriates money to implement projects within our wards. So whichever projects you see that belong to the county, it is this August House, this Assembly, that appropriates the money and identifies the projects, and it is the executive that implements them.

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Then what we do is oversight, to ensure that whatever has been done is in line with what your representative intended. We also make laws that affect and guide our community. So we are the lawmakers; that is our duty, and I want to encourage you to focus on your studies.

That is the value that is the importance of school. You have to focus on your studies, because education is the foundation of future leadership. I know you aspire to be leaders in future, but you have to acquire knowledge and education before you can aspire to be a leader of tomorrow.

I also want to challenge you to be responsible citizens, given your surroundings and the environment you come from. You ought to be responsible citizens so that you do not go against the law, because you can easily find yourself in serious trouble.

Obey the school rules and respect your teachers, because they are the people molding you for the future, and your leadership is actually molded early. So as you go back, I wish you a safe journey. Go greet your parents, your families, your siblings, and your neighbors, and I wish you well in your endeavors and success in your exams. Thank you, Hon. Speaker.

Mr. Speaker: Thank you, Hon. Martin. I will have Hon. Metrine; you made a request to speak. Then I see Hon. Violet; you will be given a chance to speak. Let's start with Hon. Metrine, please.

Hon. Metrine Nangalama: Thank you, Mr. Speaker, sir, for giving me this opportunity. Let me say a word of encouragement to our two schools: Wabukhonyi Secondary School and Chepkube Secondary School.

First and foremost, let me thank the teachers who had the idea of bringing their students here. In our time, it was not easy to learn things like this. Back then, you could only manage to go to Kitale, or Kisumu Airport, or the Kitale Show, but with this initiative, the teachers came up with a great idea of bringing their students here so that they could learn a thing or two.

Students from Wabuhonye and Chepkube, I also want to encourage you. I am a product of Lutacho Secondary School; I also learned there. Back then, it was a day school, and here I am. So what I would like to tell you is this: first of all, respect God, respect your teachers, respect your parents, and then respect yourself. You will go far.

I don't think I will have much more to say, because our sergeants have already taken you around and taught you how things are done here. As for me, I am on the minority side; that's the opposition. The other side is the government side.

I don't want to go into that... Speaker, kindly protect me from Minority Leader Evelyn Mutiambu.

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(Laughter)

Mr. Speaker: Hon. Metrine, you are protected. Members, allow her to air her sentiments. The only thing that isn't coming out clearly is that her head teacher was my father. So you need to say that your principal...

Hon. Metrine Nangalama: Exactly, Mr. Speaker. That was Mr. Mukhebi, my English literature teacher at Lutacho High School. Thank you for that, Mr. Speaker. Students from Wabukhonyi, work hard for tomorrow; you never know. Here I am; you can learn from me.

With those few remarks, I wish you all the best. Say hi to your parents when you go back home. I come from Mihuu Ward. God bless you so much. Welcome once more.

Mr. Speaker: Thank you. Hon. Violet, you will be the next speaker.

Hon. Violet Makhanu: Thank you, Hon. Speaker, for giving me the time to say something to our good schools, the students from the two schools, Chepkube and Wabuhonye. I am the MCA representing a ward called Miu in Webuye East, neighboring your ward.

I want to take this time to appreciate the teachers who organized these trips to ensure that you came to this Assembly and learned something that can help you in your coming examinations.

I appreciate the teachers, and I thank you for the good work you are doing to ensure that the students perform well in school and are prepared for their future examinations.

I also appreciate the students for coming to learn something, and I want to encourage you that in this House we have both women and men. For the girls who have come; our students and girls; we are here. We were once girls, and right now we are mothers, and here we are in this County Assembly, meaning you too can be here in future, as long as you take your education seriously, commit to what your teachers tell you, and plan your future the right way.

For the boys, too, we have men in this House. You can look for a seat that you admire, like the seat of the Leader of Majority, who is seated in the corner. We have the minority and other members here as well. So there may come a time when you, too, could be in this House as a member representing the ward you come from.

I want to encourage you that as you go back to school, work hard. I want to give you an assignment as you go home: tell your parents that on behalf of your MCA, Hon. Mukhanya, the MCA for Ndivisi Ward — thank them for electing Hon. Mukhanya as your representative, and ask your parents to continue supporting him, so that we can ensure he serves you well until the end of his term.

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Next year we will be going for campaigns. We shall come around and talk to your parents and to you. For those of you who will have votes by then, we shall come around to talk to you and give direction on where to go, so that we elect good leaders. You are most welcome. Thank you, Hon. Speaker.

Mr. Speaker: Thank you. I will have Hon. Psero. Then I will have Honorable... Hold on, Honorable, hold on. Today, Hon. Chikati, you are very active.

(Loud consultations)

(Laughter)

You will be the next speaker. Then I will have Hon. Linda.

Hon. Jacob Psero: Mr. Speaker, allow me to join my colleagues in welcoming the students of Friends School Wabukhonyi and ACK Chepkube Secondary School. In the case of Chepkube, I want to inform you that I come from Chesikaki Ward; I am the MCA for Chesikaki, a neighbor to your MCA, Hon. Cheseto; and in the past I was a teacher.

I once taught at Cheptais High School, and I used to visit a number of schools as chair of the association. I visited that school and others, so I know how Chepkube is.

Otherwise, I want to thank you for coming to this Assembly, visiting the House of Procedure and Rules, and I believe you have been taken around and given a lot of information about it.

As students, for you to succeed well, particularly in pursuing your secondary education, I want to urge you to become good ambassadors of your schools and to behave well. You have heard about what has happened in other schools in the past, particularly those that have had fires. Such incidents have destroyed a lot of property and even claimed lives.

That is bad behavior, which should not be emulated, and that is why we are asking you to be good students and to refrain from these harmful activities that take the lives of your colleagues. It is not fair.

To those of you in Form Four, I wish you well and hope you perform well. In the case of Chepkube, I know how you have performed in the past; you have done very well in co-curricular activities, particularly soccer and other disciplines; I want to ask you and your teachers to work hard to ensure you also perform well academically, so that a number of you can proceed to the various universities and colleges we have in Kenya.

To the teachers here, thank you for bringing the students, and thank the parents for supporting them to make it here.

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I want to report that even in this House we have teachers. We have a number of them: Hon. Christine from Kimilili; Hon. Nyongesa is another, plus many others who are not present today, including...

Mr. Speaker: Hon. Psero, there are several Nyongesa's here.

Hon. Jacob Psero: Oh, the junior Nyongesa.

Mr. Speaker: You ought to specify; we also have Allan Nyongesa, Henry Nyongesa, and Joseph Nyongesa; so please be specific.

Hon. Jacob Psero: Thank you, Mr. Speaker, for that correction. We have Hon. Allan Nyongesa representing the youth, just like you, and many others who are not present today, but I will simply say thank you. So, teachers, work hard; one day you might find yourself here, so do not think that Chepkube is the end.

When you do a good job at Chepkube, you can easily end up in a place like this. Otherwise, to the students and teachers, thank you for the various MCAs representing your wards, Hon. Mukhanya and Hon. Cheseto, who chose to bring you here.

The parents did a good job bringing you here. I want to report that these MCAs are doing very good work in this Assembly, and when it comes to 2027, please ask your parents to return them to this place so that they can continue serving you well. Otherwise, Mr. Speaker, thank you.

Mr. Speaker: Patience is sometimes good, but proceed, Hon. Chikati, the neighbor.

Hon. Timothy Chikati: Thank you, Honorable Speaker. Just a word of encouragement, as a Member of the Education Committee. To our students from the two schools, Wabukhonyi and Chepkube. As we know, this is the last week before schools close, and we are also heading into the circumcision ceremony season. I just want to encourage our students to be careful and take care of themselves.

Closing school does not mean closing your books. This is the time you need to use to go over your books and do extra work, so that when the final term comes, you are prepared, especially those who are sitting for exams.

I am one hundred percent sure that many of the students from Wabukhonyi, Ndivisi Ward, might be my relatives or uncles, because that was our ancestral home, and I know that most of them are Tachonis, and Tachonis do not disappoint. Tachonis are very beautiful, and Tachonis are very brilliant. That is why there are so many Tachonis in this House, and we do not sleep in this House; we are lawmakers, we legislate...

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Mr. Speaker: I have a problem with that line of submission.

(Laughter)

If you say they do not sleep, it implies that others do sleep.

(Loud consultation)

That is the implication.

(Loud consultation)

The word "beautiful" is for the holder, but Hon. Nganga, you should be allowed to complain.

(Loud consultation)

I even have witnesses here; I can count them. Hon. Violet is one, and there are others. So the word "beautiful" should not annoy you. Quiet, please.

Hon. Timothy Chikati: But it's a fact. They are beautiful, not only outwardly, but also inwardly. You are a Lawyer, and you have to... Yes; brilliant minds.

(Loud consultation)

Honourable Speaker, I submit.

Mr. Speaker: With this approach to August and to circumcisions; what some of my Honorable Members bring up, I don't understand it. One of them is Hon. Chikati. Hon. Chikati, can you please stick to the line of submission? Give your words of encouragement, and then let us close that chapter. I will allow you to make your submission.

Hon. Timothy Chikati: I have submitted, Speaker.

Mr. Speaker: You are done.

Hon. Timothy Chikati: Yes.

(Laughter)

Mr. Speaker: Honorable Linda, proceed.

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Hon. Linda Kharaka: Thank you, Mr. Speaker. I think we will need to have a breathalyzer system to test people at the door.

(Applause)

That way, we can scan ourselves as we walk in, so that we know the contents of what some of our colleagues are taking during their lunch breaks, Mr. Speaker.

Thank you. Students from Wabuhonye and Chepkube, you are most welcome to the County Assembly of Bungoma. This House has very noble people; noble women and men in society; who lead you.

They wake up every morning to come here to make laws, to carry out oversight, and to ensure that your resources in the county are properly utilized. So you are in the right place to learn, on practical ground, what happens here. It is a great opportunity; there are those who wish they had been here but have never had such an opportunity, and for that I give you applause.

It is an opportunity for you to stand out and to know practically what happens in the County Assembly of Bungoma. Just a word of encouragement: you are still young, and you have so much ahead of you, but you also have the opportunity to make things right where you are, and you can only do that by working hard, being disciplined, and doing what is right.

Like my fellow Honorable Members have said, we are breaking for the circumcision season. Please, for our young girls, make sure your legs are closed, and for our boys, it is not yet time to be fathers. Your time will come. If you do otherwise, you will ruin your future, because you are still young. Parenthood comes with a lot of responsibility.

Girls, you are not ready to be mothers; motherhood is not an easy job either. Work, study, and keep your head in your books, so that when your time comes, you are well prepared and able to take on the responsibilities of adulthood.

Discipline is required during this time as you break, because if you engage in undisciplined activities, it will be reflected in your books. Generally, that is what happens, and I am sure you can think of examples of colleagues; or rather, friends; that have been undisciplined. You will see it reflected in their performance.

So, if you work hard and stay disciplined, I believe everything else will fall into place. But above all, you need to pray, because it is only God who gives the wisdom and understanding that surpasses all this, and who guides you, so that you fall into the destiny that you deserve. I don't know if there are teachers?

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I didn't see teachers, but also respect them and listen to them, because they will give you the guidance you require. I hope this place inspires you so that you become leaders; you are not just the leaders of tomorrow, you are very important stakeholders now in the community.

Without your future generation of people like you, I don't think we would have a future, and we wouldn't be sitting here to make laws to guide you. And just to let you know, I come from Ndivisi Ward, but I moved my "grave" to Hon. Chikati's ward, meaning I got married into another place. So you were raised in the same environment I was, so I wouldn't say I am successful, but I think you are on the right path to becoming successful people and people who matter in the community.

So put your heads down, work hard, pray, stay disciplined, and everything else will follow. Being proactive also helps. Putting yourself in spaces to learn will take you a long way. Otherwise, thank you, Mr. Speaker.

I always tell this to all the students who come to visit: it was on such a trip that I made the decision to become a lawyer by profession; I am not just a politician or lawmaker. This place shaped us to know what happens in making laws and procedure. But before that, my dad wanted me to be a teacher, something I despised a lot; not to say that teachers are not good people, I simply did not like the teaching profession. I just felt that law would suit me well, and that is where I serve. So sometimes, believe in yourself; it will take you where you need to be. Asante.

Mr. Speaker: Honourable Members, allow me, on behalf of all the other speakers. First and foremost, I associate my remarks with the remarks of all the speakers who have spoken before me. Secondly, I wish that when you go back home, you work hard and be disciplined students, both at home and at school.

August is known for people drinking local brew and dancing all night. I urge you to avoid those disco dances during the circumcision season, and equally the disco *matangas*. You may sneak out at night to attend some of them, but after three or four months, we will see the outcomes of those disco *matangas* coming to light.

We ask that you be disciplined students, respect your parents, respect your teachers, and, importantly, assist your parents and teachers during this holiday at home. At least do some work for your parents, and lastly, we urge you to work hard. Let the sky be your limit in your classes. As I have said, we have so many professionals here; teachers, accountants, lawyers, surveyors, business people, and professional politicians from birth. So we do have politicians who are professional politicians.

We urge you to work hard, so that as we step aside, you can take over from us, because these positions are meant for you. There were people who sat here back in the fifties; they are no longer with us, they passed on, and we took over from them. So, in time, you will be coming

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back here as the Hon. MCAs of this Assembly, and some of you as staff of this Assembly. So I wish you well in your studies.

(Applause)

MOTION

REPORT ON THE SECTORAL COMMITTEE ON HEALTH SERVICES ON STATUS OF EQUIPMENT IN BUNGOMA COUNTY REFERRAL HOSPITAL

(CONSIDERATION OF AMENDMENTS TO THE COMMITTEE RECOMMENDATIONS)

Mr. Speaker: Honourable Members, I don't want to make remarks that don't sound so good to this Committee. Last time, when we adjourned to have the amendment moved by Hon. Sudi, the mover of the motion disappeared! The seconder remained behind.

So, in the absence of the mover of the motion, we cannot have amendments. Are we together, Members? Today, I was called by the seconder of the motion, who said the mover is unwell and attending a funeral. So that means the proposed amendment cannot proceed.

But Members, let me just share what I know: the Committee report is not the final word on what is supposed to be approved by this House. Members here are allowed to propose amendments to that report. So the Committee is behaving in a way that suggests it does not want us to have amendments on that report. And what will happen is very simple; we will not be able to approve anything from that Committee to go out until the amendments to that report are moved.

Now, Members, if you feel like opposing the amendments, sit here and oppose them from the floor of the House. Because, as it stands, I have been with the Chair of the Committee, the seconder, during the lunch hour, so, Members, stop frustrating the business of the House.

As it is now, some Members of the Committee are willing and ready to proceed, but the mover of the motion is absent, and the seconder is absent. When you move a motion, you cannot simply change course along the way.

The mover must be able to respond to the amendments and even to the debate. So we will be very keen on this; we will take it back to the HBC, but with the caveat that I will be issuing a notice to the Clerk's office: they will not retreat until this report is dealt with on the floor of the House.

When they went out, they were paid happily. Members, if Sudi is raising something regarding the proposed blood bank, why are we resisting it? I don't want to imagine what you people are

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imagining in your heads. Let me leave it there; I will take it off the Order Paper. Let's proceed; it will be taken back to the HBC. Next item, please.

**REPORT OF THE SECTORAL COMMITTEE OF FINANCE AND ECONOMIC PLANNING ON
CONSIDERATION OF TARIFF AND PRICING POLICY 2026**

Mr. Speaker: Yes Hon. Kituyi, the interesting thing about this House is even before the Speaker identifies the quorum, we always have some members verifying the quorum before the Speaker.

Hon. Catherine Kituyi(Member Finance): Members of the Committee of Finance, kindly stand

Mr. Speaker: Honourable Members. I'm trying to get the page where the membership. Hon. Godfrey, Stephen Wamalwa, Vitalis, Kirong, Aggrey Mulongo, Violet, Kawa, Tony, Makari, Sundukwa, Orize the Catherine. I know some members have some other engagements but on this one you won't survive we are proceeding

(Applause)

For one simple reason, the membership as per now is 12, there are 12 members now so a half of 12 is 6. Proceed.

(Applause)

(Loud consultations)

Honourable Members we are going to proceed I know some Members here have debts.

(Laughter)

They are collapsing. Let's proceed, Members you are all aware, we are going to adjourn the House on Thursday, you are going to be away for 3 good weeks. Honourable Members the Speaker has ruled, let's proceed.

Members if you engage in that, now we will start asking about the quorum of the House again. Yes Hon. Museveni

Hon. Meshack Museveni: Mheshimiwa Spika vile umepitisha kama Spika wacha tuendeleo vile umesema. kwa sababu Spika ameamua lakini unajua tukienda kwa ukweli kabisa sita lazima tuongeze mmoja.

Mr. Speaker: Let me assist you Hon. Meshack I have an apology of Hon. Deputy Speaker he has asked to be away. I have an apology for Hon. Grace.

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Hon. Meshack Museveni: So hapo Spika haukusema kwamba uko na apology...

Mr. Speaker: I have the one for Deputy Speaker he was here with us in HBC he has stepped out on an emergency and Hon. Grace Sundukwa with those two being away the number is there Honourable Members and I am praying when you go home for this Holiday you rest properly. Let's proceed please Hon. Chikati hold your horses please. Hon. Catherine lets proceed. If it's a date it's going to...Let me give you back the microphone please.

Hon. Catherine Kituyi: Thank you, Mr. Speaker Sir, I am here to move a motion of the sectoral committee on Finance and Economic planning report on consideration of Tariffs and Policy 2026.

CHAPTER ONE

The Tariffs and Pricing Policy, 2026 was tabled before the House on 30th April, 2026 and subsequently committed to the Committee on Finance and Economic Planning for processing and reporting back to this House.

This report outlines the background of the Policy, its objectives, the legal framework, the general principles guiding the determination of tariffs, procedure in the formulation of the policy and policy gaps.

Further, the report presents the views and submissions received during public participation and stakeholders' engagement and committee's key findings. .

Finally, the report contains the Committee's observations and recommendations for consideration and adoption by this Honourable House.

Mandate of the Committee

The Committee on Finance and Economic Planning is one of the Sectoral Committees whose mandate is derived from Standing Order 217 (5) and matters assigned under the Second Schedule which shall be exercised within the limits contemplated under Part 2 of the Fourth Schedule to the Constitution.

The functions of a Sectoral Committee shall be to; -

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- (a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- (b) Study the program and policy objectives of departments and the effectiveness of the implementation;
- (c) Study and review all county legislation referred to it;
- (d) Study, access and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (e) Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- (f) To vet and report on all appointments where the constitution or any law requires the County Assembly to approve, except those under Standing Order 185 (Committee on Appointments); and
- (g) Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

Committee membership

The current Committee composition comprises of the following members;

- 1. Hon. Godfrey Mukhwana Vice Chairperson
- 2. Hon. Stephen Wamalwa
- 3. Hon. Vitalis Wangila
- 4. Hon. Joan Kirong
- 5. Hon. Aggrey Mulongo
- 6. Hon. Violet Makhanu
- 7. Hon. Jack Kawa
- 8. Hon. Tony Barasa
- 9. Hon. George Makari
- 10. Hon. Grace Sundukwa
- 11. Hon. Orize Kundu

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12. Hon. Catherine Kituyi

Acknowledgment

The Committee appreciates the Office of the Speaker and the Clerk of the County Assembly of Bungoma for the logistical support accorded to it in the discharge of its mandate.

I take this opportunity to thank all Honourable Members of the Committee for their dedication, commitment, and valuable contributions in scrutinizing the Tariffs and Pricing Policy, 2026. The Committee is also grateful to all stakeholders and members of the public who submitted memoranda and whose views greatly informed the Committee's deliberations and recommendations.

It is therefore my privilege, on behalf of the Committee on Finance and Economic Planning, to present this Report on the Tariffs and Pricing Policy, 2026 to this Honourable House for consideration and adoption.

Report signed by Hon. Godfrey Wanyama Vice Chairperson, Sectoral Committee on Finance and Economic Planning.

Background

The Tariff and Pricing Framework establishes principles, procedures, and mechanisms for setting, reviewing, administering, and enforcing fees, charges, levies, tariffs, and pricing of services offered by the County Government. The framework seeks to ensure fairness, transparency, affordability, efficiency, and sustainable revenue generation in line with the Constitution of Kenya 2010, commission on Revenue Allocation guidelines 2024 and relevant National Policies and Legislations.

A Tariff and Pricing Policy is a strategic framework developed by a County Government to guide the imposition, review, and administration of fees, charges, tariffs, and service levies. The policy provides a structured basis for determining user charges for services rendered in accordance with Article 209(4) of the Constitution of Kenya, 2010 and Section 120 of the County Governments Act, 2012.

The proposed policy objectives are:

1. To determine the cost of providing public services

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2. To map and match the revenue streams with expected services
3. To determine the tariffs, fees and charges payable for each category of citizens
4. To promote local economic development
5. To provide for the economic, efficient, and sustainable setting of tariffs, fees and charges.
6. To inform users of County services based on tariffs, fees and charges

Scope of Application

The policy should apply to all County departments, agencies, municipalities, and County entities responsible for charging fees or levies, for instance:

- Trade licensing
- Parking services
- Markets and slaughterhouses
- Solid waste management
- Water and sanitation
- Health facilities
- Land and physical planning approvals
- Outdoor advertising
- Agricultural services
- Transport operations
- Housing and rental facilities
- Recreational facilities

Guiding Principles

Tariff setting is guided by the following principles: Legality, Equity and Fairness, Affordability, Cost Recovery, Transparency; Efficiency and Predictability.

Tariff Classification

Tariffs are classified as below;

1. **Regulatory Fees:** Charges imposed for regulation, licensing, inspections, and permits. For examples; Single business permits, Building approvals, Public health inspection fees.
2. **User Charges:** Fees charged for use of County services or facilities. For example; Parking fees, Market stall rent, Garbage collection fees.

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3. **Commercial Charges:** Charges for commercial services provided competitively. For example; County housing rent, Equipment hire, Event venue charges.
4. **Penalties and Fines;** Charges for non-compliance or violations. For example; Late payment penalties, illegal dumping fines, unauthorized developments

Tariff Setting Methodology

Tariffs are determined using one or a combination of the following methods:

1. **Cost-Based Pricing;** Tariffs based on operational, maintenance, and administrative costs.
2. **Market-Based Pricing;** Benchmarking against prevailing market rates.
3. **Social Pricing;** Reduced charges for essential services or vulnerable groups.
4. **Differential Pricing;** Different tariffs for: residents and non-residents, commercial and domestic users, peak and off-peak usage

The Tariffs and Pricing Policy development process

The policy development process requires that the County Executive Committee Member for Finance and Economic Planning designates the Chief Officer in charge of revenue to spearhead the process supported by a Technical Committee. This Policy should be developed through the following stages

- i. **Situational Analysis-** this stage entails County assessment of the existing tariffs, fees, and charges. This aims at establishing the cost of service delivery, the current economic situation, the rationale and basis of existing tariffs, fees, and charges, and the priorities of the County Government.
- ii. **Request for Submissions** -The County Treasury requests input from the County departments on the existing tariffs, fees, and charges through the budget circular. In addition, the County Treasury requests input on the same from stakeholders. The Technical Committee compiles the input received.
- iii. **Formulation of a Draft Tariffs and Pricing Policy-** the Technical Committee formulates the draft Tariffs and Pricing Policy taking into consideration the submissions received and in line with the County priorities. The tariffs, fees, and charges by the County Government are mapped to the public services that the County offers.
- iv. **Public Participation on the Draft Tariffs and Pricing Policy-** the County conducts public participation to inform and consult stakeholders on the draft Policy. The views

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- are subsequently considered, validated, and incorporated into the draft Policy by the Technical Committee.
- v. **Adoption and Approval of the Tariffs and Pricing Policy by the County Executive Committee** – the County Executive Committee considers and approves the draft Tariffs and Pricing Policy.
 - vi. **Submission of the Tariffs and Pricing Policy by the County Executive Committee Member for Finance** – The Policy is submitted to the County Assembly for consideration.

Legal framework

In scrutinizing the Tariffs and Pricing Policy, 2026 the Committee applied and was guided by the following legal and regulatory frameworks:

A. Constitutional Foundations

Article 209(4) of the Constitution of Kenya, 2010, empowers County Governments to impose property rates, entertainment taxes, and charges for services rendered. Furthermore, Clause (5) of the said Article stipulates that the taxation and revenue-raising powers of a County shall not be exercised in a manner that prejudices National economic policies, economic activities across County boundaries, or the National mobility of goods, services, capital, or Labour.

B. National policies and Laws

The National Policy to Support Enhancement of County Governments Own-Source Revenue (OSR)

The National Own Source Revenue Policy underscores the need for Counties to develop a Tariff and Pricing Policy to provide a basis for setting fees and charges for Public Service offered by the County Government. It stipulates that a Tariff and Pricing Policy should provide citizens with information to understand and interpret the fees and charges they pay and the service that they should expect from the County in return.

County Governments Act 2012

Section 120 of the County Governments Act, 2012 mandates that Counties to adopt a formal tariffs and pricing policy, making it a critical legal prerequisite for enacting Annual Finance Acts.

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Key requirements include ensuring equitable treatment of users, adopting cost-reflective pricing, offering social subsidies for vulnerable households, and aligning local charges with National economic policies. Failure to adopt this policy renders County revenue measures unlawful.

County Governments Act 2012

Section 120 provides in part as follows-

- (1) A county government or any agency delivering services in the county shall adopt and implement a tariffs and pricing policy for the provision of public services.
- (2) (1A) Notwithstanding subsection (1), a county government or any agency delivering services in the county shall adopt and implement tariffs and pricing policy subject to the existing National Government laws and policies..

Urban Areas and Cities Act, 2011

The Boards under section 20 (1) (b) (m) and (n) are mandated among others to:

- b) Develop and adopt policies, plans, strategies, and programmes, and may set targets for delivery of services;
- (m) As may be delegated by the county government, collect rates, taxes, levies, duties, fees, and surcharges on fees; and
- (n) Set and implement tariff, rates, and tax and debt collection policies as delegated by the county government

Section 21(1) (c) also empowers Boards to impose such fees, levies, and charges as may be authorized by the county government for the delivery of services by the municipality or the city.

Public Finance Management Act, 2012

This Policy falls under the purview of the County Treasury as per section 104(1) (a)

- (a) Developing and implementing financial and economic policies in the county;

Physical and Land Use Planning Act, 2019

This Act provides for zoning, a parameter for setting some of the fees and charges in the county such as building plan approval fees.

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Public Participation

Pursuant to Article 196(1) (b) of the Constitution of Kenya, 2010 and Section 87 of the County Governments Act, the Committee, through the Office of the Clerk, placed a notice for public participation in the Standard Newspaper on 13th May, 2026 inviting members of the public and stakeholders to submit memoranda on the Tariffs and Pricing Policy, 2026 (see attached Public Participation Notice).

Further, on 20th May, 2026, the Committee conducted a public participation forum at Paskari Nabwana Hall within the precincts of the County Assembly. The forum was attended by stakeholders and members of the public drawn from various parts of the County, who were given an opportunity to present their views on the proposed Policy.

A summary of the views and recommendations contained in the submitted memoranda, categorized according to the key issues raised on the Policy, is as outlined below:

Public Views

Views on Policy Development

Stakeholders expressed concern that the Draft Tariffs and Pricing Policy, 2026 appears to have been largely adopted from another County Government with only minimal domestication to reflect the unique circumstances of Bungoma County. It was submitted that the policy development process outlined in the draft document may not have been fully undertaken prior to its submission to the County Assembly.

The public further observed that the formulation of the policy did not adequately comply with the provisions of Section 120 of the County Governments Act, 2012, which requires public participation and stakeholder consultation during policy development. Stakeholders indicated that there was inadequate publicity, public awareness and engagement prior to the submission of the policy for County Assembly's consideration.

Members of the public also emphasized that tariff setting should be informed by accurate baseline data on both fixed and variable costs associated with service delivery. It was submitted that fees and charges imposed by the County Government should not exceed the actual cost of providing a particular service and should be based on a clear cost-recovery framework.

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Stakeholders further noted that the policy places significant emphasis on revenue enhancement without providing sufficient justification on how the proposed tariffs would improve service delivery. Concerns were raised that the policy lacks adequate socio-economic analysis to support proposed fee adjustments.

In addition, participants observed that although the draft policy recognizes pro-poor and vulnerable groups, it does not clearly outline mechanisms for protecting such groups from the impact of increased charges. They recommended the inclusion of clear safeguards to ensure that vulnerable households, low-income earners and small-scale traders are not disproportionately affected by uniform tariffs.

The public also noted that the situational analysis contained in the policy lacks current and comprehensive data to support policy decisions. They recommended that updated statistics and empirical evidence be incorporated to strengthen the policy framework.

On revenue mobilization challenges, participants submitted that the challenges identified in the draft policy were not exhaustive. They proposed the inclusion of additional challenges such as revenue leakages arising from corruption and tax evasion, ineffective and inefficient revenue management systems that are not GIS-enabled, poor revenue administration resulting in low collection efficiency, inadequate policy and legal frameworks, and insufficient market infrastructure and public amenities that hinder revenue generation.

Views on Revenue Streams and Tariff Determination

Stakeholders observed that the departments identified in the policy as custodians of various revenue streams do not accurately reflect the current organizational structure of the County Government. Particular concern was raised regarding the naming and categorization of departments, including the Department of Medical Services and Public Health.

The public further submitted that the fees and charges proposed in the policy do not clearly demonstrate a relationship with the actual cost of service delivery. Participants recommended that the County Government undertake comprehensive cost-of-service studies before

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determining tariffs to ensure that fees remain fair, reasonable and affordable to citizens and businesses.

Stakeholders also questioned whether a comprehensive revenue mapping exercise was conducted before the drafting of the policy. They noted that without proper revenue mapping and analysis, some charges may either exceed or fall below the actual cost of service provision, thereby affecting efficiency, affordability and revenue performance.

Views on Policy Implementation, Monitoring and Review

On implementation and oversight, stakeholders recommended the adoption of a Monitoring, Evaluation, Accountability, Research and Learning (MEARL) framework in place of the proposed Monitoring and Evaluation (M&E) framework. They argued that a MEARL approach would enhance accountability, facilitate continuous learning and support evidence-based policy implementation.

Additionally, participants emphasized the need for regular policy reviews to ensure that tariffs and pricing mechanisms remain responsive to changing economic conditions, inflationary trends, service delivery costs and emerging public needs.

In summary the public underscored the need for greater stakeholder engagement, enhanced cost-based tariff determination, improved protection of vulnerable groups, strengthened revenue administration systems and the establishment of clear implementation and review mechanisms. The Committee considered the views submitted and has incorporated appropriate recommendations in this Report.

COMMITTEE SCRUTINY ON THE TARIFFS AND PRICING POLICY, 2026

The committee noted that the policy aims to ensure that revenue measures are fair, transparent, equitable, predictable, and economically sustainable while balancing cost recovery with

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affordability of public services. It also establishes principles for setting tariffs, including legality, efficiency, public participation, accountability, competitiveness, and social equity.

On the relevance of the policy, it promotes consistency in revenue collection by standardizing the methodology for determining fees and charges across departments. It guides periodic review of tariffs to reflect inflation, market conditions, operational costs, and changing economic circumstances without imposing excessive burden on residents and businesses.

Further, the policy enhances compliance with National fiscal and public finance frameworks, strengthens own-source revenue mobilization, reduces arbitrary pricing, and improves investor confidence by ensuring certainty and transparency in County taxation and pricing structures.

Ultimately, the policy serves as an important tool for supporting service delivery, fiscal discipline, and sustainable local economic development.

Committee Key Policy findings

1) The title of the Policy

The title of the Policy, *Tariffs and Pricing Policy, 2026*, does not clearly identify the County Government, to which it applies, thereby creating ambiguity regarding its jurisdiction and intended scope of application.

2) Lack of Evidence of Public Participation

Although the policy references; Article (10) and (201) of the constitution of Kenya, 2010 and section 87 of the County Governments Act, 2012. From the analysis of the submitted policy, there was no evidence demonstrating that public participation was conducted. No documentation was provided showing:

- Public notice;
- Stakeholder meeting minutes;

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- Memoranda submissions; or
- Public participation report.

This creates a serious constitutional and legal risk because public participation is mandatory in policy formulation and approval processes. Failure to demonstrate meaningful public participation may render the policy susceptible to:

- Judicial review;
- Constitutional petitions; or
- Nullification by courts.

3) Insufficient transparency on costing methodology

The policy states that tariffs are based on cost of service provision but does not provide a standardized costing methodology. This may result in different departments applying inconsistent costing approaches. Equally, the policy does not provide differentials in fees and charges for urban, peri-urban and rural areas.

4) lack of a clear Tariff review and Adjustment Framework

The policy explains how tariffs are initially determined but does not establish a clear mechanism for periodic review and adjustment. Further, there is no formula linking tariff revisions to inflation, changes in service costs, economic growth, or market conditions.

5) Inadequate affordability analysis.

While affordability is listed as a guiding principle, the Policy does not provide criteria for assessing citizens' ability to pay. The policy does not clearly identify: Who qualifies for exemptions; eligibility criteria; or the process for obtaining waivers.

6) Weak link Between Service Quality and Tariff Charges

The policy focuses heavily on cost recovery but provides limited provisions on service quality standards. The public may pay higher charges without corresponding improvements in service delivery

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7) Limited Monitoring and Evaluation Framework

The policy did not capture comprehensive indicators for assessing whether tariffs achieve policy objectives such as revenue growth, affordability, efficiency and sustainability.

8) Lack of risk management measures

The policy does not address risks such as economic shocks, disasters, inflation spikes , political interference ,or revenue shortfalls.

9) Limited focus on Economic Competitiveness

The policy does not include Economic Impact Assessment; this may discourage investment and business growth if not carefully calibrated.

10) Limited environmental incentives

Environmental sustainability is identified as a principle, but the policy lacks tariff incentives to promote environmentally friendly practices.

11) Mismatch of the departments

The policy mentions departments where revenue streams are domiciled that do not match with the executive orders currently in place. For instance the policy mentions the department of Trade, Culture, Tourism and Cooperative Development which doesn't exist among others.

12) Implementation matrix

The Committee noted that the Policy does not provide an implementation matrix outlining the specific activities, responsible institutions or officers, timelines, performance indicators, and resource requirements necessary for the effective implementation of the Policy.

Committee Observations and recommendations

Committee observations

The committee observed that;

1. The title of the Policy, *Tariffs and Pricing Policy, 2026*, does not specify the County Government, to which it applies, thereby creating ambiguity regarding its jurisdiction, ownership, and scope of application.
2. The policy mentions departments where revenue streams are domiciled that do not match with the executive orders currently in place. For instance the policy mentions the department of Trade, Culture, Tourism and Cooperative Development which doesn't exist among others.

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3. There was no evidence demonstrating that public participation was conducted as the department did not provide the following; notice for public participation, Stakeholders meeting minutes, Memoranda submissions and Public participation report.
4. The department did not provide proof of input from departments where revenue streams are domiciled.
5. The department did not provide a list of the technical committee members as envisaged in the Policy Development Process.
6. There was no proof of budget circular issued by the treasury requesting input from the county departments on existing tariffs, fees and charges
7. The policy does not provide the standardized methodology of levying fees and charges. Further, the policy does not provide differentials in fees and charges for urban, peri-urban and rural areas.
8. The policy Lacks risk management measures in regard to economic shocks, disasters, inflation spikes, political interference, or revenue shortfalls.
9. The Policy contains an inadequate Monitoring and Evaluation Framework, as it does not provide comprehensive indicators for measuring the extent to which tariff implementation achieves key policy objectives, including revenue enhancement, affordability, operational efficiency, and long-term sustainability.
10. The policy lacks a clear framework for assessing the ability of citizens to pay the prescribed tariffs and charges. Further, the Policy does not adequately define the categories of persons eligible for exemptions or waivers, the criteria for determining eligibility, or the procedures for applying for and obtaining such relief.
11. The Policy lacks an implementation matrix to guide the operationalization of its provisions, including clearly defined actions, responsible officers, timelines, and measurable outputs.

5.1.2 Committee recommendations

1. **THAT**, the County Executive Committee Member for Finance and Economic Planning revises the title of the Policy to clearly identify the County Government to which it applies by renaming it the *Bungoma County Tariffs and Pricing Policy, 2026*, in order to eliminate ambiguity regarding its jurisdiction, ownership, and scope of application.
2. **THAT**, the County Executive committee member for Finance and Economic Planning should align the departments according to existing Executive Order.
3. **THAT**, County Executive committee member for Finance and Economic Planning should carry out public participation on the Policy as per article 10 and 201 of the

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Constitution of Kenya, 2010 as read together with section 87 of the County Governments Act, 2012.

4. **THAT**, the County Treasury should engage the County Departments on the existing Tariffs, fees and charges as stipulated in the policy Development Process.
5. **THAT**, the County Executive Committee Member for Finance and Economic Planning should form a technical committee to spearhead the process of developing / reviewing of the Tariffs and Pricing Policy.
6. **THAT**, the County Executive Committee Member for Finance and Economic Planning is hereby directed to amend the Policy to provide a standardized cost-based methodology for determining fees and charges, taking into account the full cost of service delivery, including operational, maintenance, administrative, and capital costs. Further, the Policy should establish clear criteria for differentiating fees and charges between urban, peri-urban, and rural areas.
7. **THAT**, the department should amend the Policy to include risk management mitigating measures in regard to economic shocks, disasters, inflation spikes, political interference, or revenue shortfalls.

THAT, the County Executive Committee Member for Finance and Economic Planning revises the Policy to strengthen the Monitoring and Evaluation Framework by incorporating clear, measurable, and comprehensive performance indicators for assessing the extent to which tariff implementation achieves the Policy objectives of revenue enhancement, affordability, operational efficiency, and long-term sustainability

9. THAT, the County Executive Committee Member for Finance and Economic Planning revise the Policy to establish a clear affordability assessment framework for determining citizens' capacity to pay prescribed tariffs and charges. Further, the Policy should clearly define the categories of persons eligible for exemptions and waivers, the eligibility criteria, and the procedures for applying for, assessing, and granting such exemptions or waivers.

10. THAT, the County Executive Committee Member for Finance and Economic Planning revises the Policy to include an implementation matrix that clearly outlines the actions to be undertaken, responsible departments or officers, implementation timelines, expected outputs, and performance indicators for effective execution of the Policy.

Having considered the foregoing observations and recommendations, the Committee recommends that this Honourable House rejects the Tariffs and Pricing Policy, 2026

Version 00

Revision 00

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and directs the County Executive Committee Member for Finance and Economic Planning to develop a new Policy addressing the concerns and recommendations contained in this Report and submit the same to the County Assembly within sixty (60) days after the adoption of this Report.

Annexures

We have;

- i. Tariffs and Pricing Policy, 2026
- ii. Public Participation Notice
- iii. Submissions from the Public

I therefore call upon my chair, Hon. Godfrey Mukhwana to second the report. Thank you, Mr. Speaker.

Mr. Speaker: Thank you Hon. Kituyi for moving the committee report. Allow me to call Hon. Zeddy to proceed.

Hon. Godfrey Mukhwana: Thank you, Mr. Speaker for giving me this chance. First, I want to appreciate the Member who has moved the report. The tariffs and pricing framework establishes principles, procedures and mechanism for setting reviewing, administering and enforcing prices, enforcing fees, enforcing charges and tariffs and pricing of services offered by the County government. I beg to second.

(Applause)

Mr. Speaker: Thank you, Hon. Zeddy for seconding the committee report. Allow me Honourable members be able to propose a motion for debate;

(Question proposed)

Hon. Nyongesa,

Hon. Joseph Nyongesa: Thank you, Honorable Speaker. First, allow me also to appreciate the mover of the report, the seconder, and the Committee report. I stand to agree with what the Committee is saying, and I am keen on it, at least to save the public from the issue of tariffs, as they say. But my key concern is that, because we are aware that the executive, perhaps through

Version 00

Revision 00

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its own initiative, may have involved a person in coming up with this policy, the demand aspect was also used.

As we reject this, I don't know how much we are losing economically as a county, Mr. Speaker. I think the department should also take responsibility for it, because money has been used, but what is coming out clearly is that what they were doing was not fair, and as we can see, it was not fair to the people of Bungoma.

Now, suppose we normally budget for this policy-making and the budget that was used; by the way, the Committee could also add that the officers involved should be included. Mr. Speaker, we should also look into the money aspect, so that, if possible, they should pay it back, so that we do not have to budget again for the whole process. And as you are aware, an expert was involved, and this expert should be an external expert, given that public money was used in bringing about such a policy for us. So, we appreciate the Committee, and I think we should also look again at the aspect of the money that was wasted on this. Otherwise, I support.

Mr. Speaker. Hon. Catherine Kituyi, you reply to the motion accordingly because there is no other Speaker.

Hon. Catherine Kituyi: Thank you, Mr. Speaker Sir. I want to thank the Majority Leader for contributing to the report, although as a committee the report was for noting, because we recommended that we take same back to the department.

Mr. Speaker. Make your final prayer.

Hon. Catherine Kituyi: We said we reject the report. We support our recommendations as a committee.

Mr. Speaker: Honourable Members, a motion have been moved and seconded and the debate having been ensued;

(Question put and agreed to)

The report is adopted formally. What you were saying Hon. Catherine is now adopted and is taking care of what you were trying to say away from the report.

Next item,

APPROVAL OF NOMINATION OF MEMBERS TO SERVE IN COMMITTEES

Mr. Speaker: Hon. Vitalis Sifuna,

Version 00

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Hon. Vitalis Sifuna: Thank you, Mr. Speaker. I am on my feet to move a motion on Approval of Nomination of Members to the Serve in Committees Pursuant to the provision to the Standing Order No.177(3) this House approves the nomination of the following members to serve in the following committees;

NO.	NAME OF HONORABLE MEMBER	COMMITTEES
1.	Hon. Metrine Nangalama	Committee on Lands, Urban, Physical Planning and Housing Labour Relations, Member's Service and Facilities.
2	Hon. Allan Wanyama	Committee on Trade, Energy and Industrialization Committee on Youth Affairs and Sports.
3	Hon. Antony Lusenaka	Committee on Finance and Economic Planning Committee on Delegated County Legislations.
4	Hon. Milliah Masungu	Committee on Finance and Economic Planning Committee on Delegated County Legislations.

Mr. Speaker, so far this is the shortest motion ever moved in this House, allow me call upon the seconder who is none other than the Minority Whip Hon. Aggrey Mulongo to second.

Mr. Speaker: Hon. Mulongo Aggrey

Hon. Mulongo Aggrey: Thank you, Mr. Speaker Sir. I stand to second.

Mr. Speaker: Honourable members, you may be wondering why this report is short, when the HBC was in Nairobi in their leaning process. We learned that placement of members to committees must be approved by the House, a part from the de-whipping. So this motion does

Version 00

Revision 00

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not have the debate, I just have to put a question then we are done with the same and it is good to keep on learning Members.

(Loud consultation)

Honourable Members, a motion has been moved by Leader of Minority and seconded by the Minority Chief Whip, I put the question for this House decision.

(Question put and agreed to)

(Applause)

Honorable Members, the motion has been approved accordingly but I will ask kindly Honourable Members give the whips some humble time, because in any other normal cases, we couldn't have gone on with this motion because of what you are saying. Look at the challenges the whips are having. I beseege that you give them humble time.

ADJOURNMENT

Honourable Members, we will adjourn for today and resume tomorrow at 9: 30a.m session.

House rose at.4:01p.m.

Version 00

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