



## NATIONAL ASSEMBLY BILL TRACKER AS OF TUESDAY, AUGUST 20<sup>TH</sup>, 2024

The Bills Tracker provides an overview of the status of Bills before the National Assembly in the year 2024

BILL	OBJECTIVE OF THE BILL	KEPSA SECTOR BOARD	IMPACT ON THE PRIVATE SECTOR/BUSINESS IF PASSED	STATUS
<b>The Public Procurement and Asset Disposal (Amendment) Bill, 2022</b> (NA Bills No. 62 of 2022)	It seeks to enhance the amount for tenders where Kenyan citizens are given exclusive preference from the sum of five hundred million shillings to twenty billion shillings. This is to protect Kenyan traders from foreign competitors	Public Finance	This will protect Kenyan traders from foreign competitors, and give them priority	1 <sup>st</sup> Read on 08/03/2023
<b>The National Construction Authority (Amendment) Bill, 2022</b> (NA Bills No. 59 of 2022)	It seeks to provide that women, youth, and persons living with disabilities who own start-up businesses and who apply for registration as contractors shall be exempt from payment of prescribed fees	Lands and Housing	This will recognize women, youth, and persons living with disabilities as marginalized groups and cushion them from the burden of paying registration fees  Enhanced economic growth: The bill can contribute to overall economic growth by fostering the development of small businesses owned by women, youth, and persons with disabilities. Increased participation of these groups in the construction sector can result in a more vibrant and competitive industry, driving	Passed; <b>Forwarded to the Senate for consideration on 6/12/2023</b>

			economic activity and generating revenue	
<b>The National Transport and Safety Authority (Amendment) Bill, 2022</b> (NA Bills No. 43 of 2022)	This Bill seeks to assign additional functions to the NTSA and the proposed additional functions include the establishment of systems and procedures for the regional registration and licensing of two and three-wheeled public motorcycle taxis and the regional registration and licensing of drivers of two and three-wheeled public motorcycle taxis by County government in consultation with the Authority	Transport and Infrastructure	The ability of two and three-wheeled public motorcycle taxis to manoeuvre feeder roads and settlements with poor road networks has made them the preferred choice for mobility and access in both urban and rural areas. This will ease the movement of people by connecting them to their daily business and social networks. Because of manoeuvrability, two-wheelers, and three-wheelers have not only lessened the distances travelled but also employed many young people to operate as riders, either owned or hired.	2 <sup>nd</sup> Read on 19/04/2023; 26/04/2023 <b>(ongoing)</b>
<b>The Land (Amendment) Bill, 2022</b> (NA Bills No. 40 of 2022)	The Bill seeks to amend the Land Act No.6 of 2012 by providing for registration of public land. Currently, certificates of title are not issued with respect to public land and as a result grabbing of public land has been an ongoing issue that requires regulation	Lands and Housing	If the Bill is passed into Law, issuance of certificates of title in regards to public land in Kenya will take effect which will help curb the grabbing of public land. Businesses investing in projects involving public land would likely benefit from the increased certainty and security offered by proper land titles. This could encourage more local and foreign investment in various sectors such as real estate, agriculture, and infrastructure development	Passed; <b>Forwarded to the Senate for consideration on 15/04/2024</b>

<p><b>The County Governments (Revenue Raising Process) Bill, 2023</b> (NA Bills No. 11 of 2023)</p>	<p>The Bill seeks to provide for the process to be followed by county governments in the exercise of their power under Articles 209 and 210 of the Constitution to impose, vary or waive taxes, fees, levies and other charges</p>	<p>Public Finance</p>	<p>Competitive disadvantages: If county governments have the power to vary taxes or charges, it can create disparities between different counties. Some counties may impose lower taxes or fees to attract businesses, while others may choose to increase them. This could create a competitive disadvantage for businesses operating in higher-tax counties, potentially leading to shifts in business locations and investment patterns.</p> <p>Uncertainty and planning challenges: When county governments have the authority to change taxes and charges, it introduces an element of uncertainty for businesses. Long-term planning and investment decisions may become more challenging, as businesses need to consider the potential impact of future changes in county-level taxation policies</p>	<p>1<sup>st</sup> Read on 04/05/2023</p> <p><b>PS: Bill at the Senate</b></p>
<p><b>The Higher Education Loans Board (Amendment) Bill, 2023</b> (NA Bills No. 10 of 2023)</p>	<p>The Bill seeks to amend the Higher Education Loans Board Act, No. 3 of 1995 to reduce the financial burden on recent graduates to are expected to pay large sums of money to the Board before securing employment or becoming financially stable. It employs proposals such as waiving the imposition of interest on the principal amount of a loan advanced to the youth and persons living with</p>	<p>Education</p>	<p>This will ultimately reduce the financial burden on recent graduates in the making of loan payments to the Higher Education Loans Board</p>	<p>1<sup>st</sup> Read on 09/08/2023</p>

	disabilities until such a time as they have secured their first employment. It also sets the maximum interest at 3% per annum.			
<b>The Employment (Amendment) Bill, 2022</b> (NA Bills No. 11 of 2022)	The Bill seeks to limit employers from contacting their employees past working hours and penalizes the same. Where it is unavoidable, it provides for payment of overtime hours	Labour	The Bill will introduce new stringent measures that will curtail the prerogative to manage enterprises by the owners. This will automatically pose a challenge to Industrial Relations in Kenya. The changes proposed negate the very essence of managing enterprises freely to meet the demands and challenges posed by the market	Bill <u>rejected</u> by the National Assembly on 5/03/2024  Bill referred to a Mediation Committee pursuant to Article 113 of the Constitution
<b>The Natural Resources (Benefit Sharing) Bill, 2022</b> (NA Bills No. 6 of 2022)	It seeks to establish a system of benefit sharing in natural resource exploitation between resource exploiters, the national government, county governments, and local communities	Environment, Water and Natural Resources	If the Bill is passed it will increase the cost of doing business by increasing the cost of utilizing natural resources in the country for economic benefit	Bill <u>rejected</u> by the National Assembly on 12/03/2024.  Bill referred to a Mediation Committee pursuant to Article 113 of the Constitution
<b>The National Rating Bill, 2022</b> (NA Bills No. 55 of 2022)	Provides for a framework for imposition of rates on land and buildings, and valuation of rateable properties	Lands and Housing	Certainty and uniformity in levying of property rates that are due and payable annually help businesses to plan forecast and protect themselves against arbitrary varying of land rates by County governments.	Bill referred back from the Senate <u>with amendments</u> on 09/05/2024

			A number of counties have been taken to court for such, especially where the property involved is massive like agriculture, retail stores, etc and the resultant difference in rates amounts to tens and hundreds of millions	Senate amendments rejected on 12/06/2024;  Bill referred to a Mediation Committee pursuant to Article 113 of the Constitution
<b>The Land Control Bill, 2023</b> <i>(NA Bills No. 39 of 2023)</i>	Seeks to repeal and replace the Land Control Act, cap 302 to align the law governing dealings in agricultural land with the provisions of the Constitution of Kenya 2010, the Environment and Land Court Act, 2011, the Land Registration Act, 2012, and the Land Act, 2012.  It also proposes the establishment of Land Control Committees in each Constituency to replace the current Land Control Boards and further proposes the establishment of Land Control Appeals Committees to handle any appeals emanating from the Land Control Committee	Lands and Housing	If this Bill is passed, it will have a profound impact on agricultural land as it will put in place a new control structure thus impacting agri-business	1 <sup>st</sup> Read on 4/10/2023
<b>The Mining (Amendment) Bill, 2023</b> <i>(NA Bills No. 51 of 2023)</i>	This Bill seeks to amend the Mining Act, 2016 to provide for the separate implementation of the policy formulation, administrative, and dispute resolution functions of the	Mining and Blue Economy	If this Bill is passed, it will streamline policy formulation, administrative and dispute resolution functions propounded upon in the Mining Act, 2016	1 <sup>st</sup> Read on 12/10/2023

	Act. The current convergence of the aforementioned functions provides regulatory uncertainty in the mining sector			
<b>The Learners with Disabilities Bill, 2023</b> <i>(NA Bills No. 4 of 2023)</i>	Bill seeks to provide for the education of learners with disabilities; for the conduct of educational institutions for learners with disabilities	Education	It will promote disability inclusion and enhancement and accessibility of persons with disabilities in all spheres of societal and academic existence	1 <sup>st</sup> Read on 07/11/2023
<b>The County Licensing (Uniform Procedure) Bill</b> <i>(Sen. Bills No. 9 of 2022)</i>	It seeks to establish standards and uniform procedures for licensing by county governments subject to the proposed amendments	Trade and Industry	There are varied procedures in the forty-seven county governments when applying for licenses which has harmed the ease of doing business in the counties. This will establish uniform procedures for licensing to ensure certainty in the process and ultimately encourage private-sector players to do business in the counties	Passed; referred back to the Senate for consideration on 06/05/2024  <b>Bill assented to</b>
<b>The Startup Bill, 2022</b> <i>(Sen. Bills No. 14 of 2022)</i>	The Bill seeks to create a framework for a more favourable environment for innovation, to encourage growth and sustainable technological development and entrepreneurship. This is meant to attract Kenyan talent and capital	ICT	It will provide for the registration of start-ups, and their linkage with private investors and financiers, research institutions, the private sector, and other government institutions. There shall also be fiscal and non-fiscal support to start-ups in Kenya through incubation facilities. Newly registered entities and those in existence for not more than 7 years will be eligible to be registered for admission into an incubation programme	1 <sup>st</sup> Read on 28/02/2024

<p><b>The Mung Beans Bill, 2022</b> (Sen. Bills No. 13 of 2022)</p>	<p>The Bill seeks to provide for the development, regulation and promotion of the mung beans sector. It further provides for the support of farmers of mung beans in each county in the production and marketing of their produce and encourages the use of mung beans as a food security item by the National and county governments in their various feeding policies and programs.</p>	<p>Agriculture</p>	<p>It will have a significant impact on food security by increasing production, diversifying crops, reducing dependence on imports and creating economic opportunities</p>	<p>1<sup>st</sup> Read on 28/02/2024</p>
<p><b>The Agricultural and Livestock Extension Services Bill, 2022</b> (Sen. Bills No. 12 of 2022)</p>	<p>The principal object of the Bill is to provide for agricultural and livestock extension which is aimed primarily at improving the knowledge of farmers for development; as such, it has been recognized as a critical component of technology transfer</p>	<p>Agriculture</p>	<p>This will improve knowledge and skills for farmers which in turn will enhance productivity, access to markets and increase income for farmers</p>	<p>1<sup>st</sup> Read on 28/02/2024</p>
<p><b>The Vocational Training Bill, 2022</b> (Sen. Bills No. 3 of 2022)</p>	<p>The Bill seeks to provide for establishment of private vocational education and training centres within the counties, some of which are to be owned and operated by private sector.</p>	<p>Education</p>	<p>This will ensure TVET agenda remains robust and is able to spur the economy through production of well-trained youth</p>	<p>1<sup>st</sup> Read on 25/07/2023</p>
<p><b>The National Disaster Risk Management Bill, 2023</b> (NA Bill No. 24 of 2023)</p>	<p>The Bill seeks to establish the National Disaster Risk Management Authority and County Disaster Risk Management Committees; to provide a legal framework for the coordination of disaster risk</p>	<p>Security</p>	<p>Proactive disaster risk management measures could ultimately benefit businesses by reducing vulnerability to disasters and ensuring greater continuity of operations in the face of unforeseen challenges and ultimately</p>	<p>Passed; <b>Forwarded to the Senate for consideration on 20/06/2024</b></p>

	management activities in both levels of government		contribute to the long-term resilience of the private sector in Kenya	
<b>The Cooperatives Bill, 2024</b> <i>(NA Bill No. 7 of 2024)</i>	The Bill aims to amend the Co-operative Societies Act, No. 12 of 1997 to align it with the Constitution of Kenya, 2010	Trade and Industry	It will ensure that the legal framework governing cooperatives reflects the current constitutional provisions and promotes effective governance and development of cooperative societies; This will create a conducive environment for co-operatives to conduct their businesses and contribute to the economy and the social fabric by strengthening the capacity and skills of cooperative members and leaders, and offer innovation and competitiveness in the sector.	1 <sup>st</sup> Read on 09/04/2024
<b>The Breastfeeding Mothers Bill, 2024</b> <i>(NA Bill No. 8 of 2024)</i>	Bill seeks to provide a legal framework to support mothers who wish to breastfeed their children at the workplace	Gender	The Bill will promote and encourage breastfeeding, protect the rights of working mothers, and enhance mother-infant relationships by providing necessary facilities and support in the workplace. The Bill will enhance the well-being of both mothers and babies by reducing the absenteeism and or turnover of female employees and thus contributing to the economy and social development of the sector and the country as a whole	1 <sup>st</sup> Read on 02/05/2024



<p><b>The Coffee Bill, 2023</b> (Sen. Bills No. 10 of 2023)</p>	<p>The Bill seeks to provide for the regulation, development and promotion of the Coffee industry</p>	<p>Agriculture</p>	<p>The Bill proposes to reorganize the coffee industry by transitioning the regulatory and commercial roles currently undertaken by the Agriculture and Food Authority to the Coffee Board of Kenya</p>	<p>1<sup>st</sup> Read on 16/04/2024</p>
<p><b>The Cotton Industry Development Bill, 2023</b> (Sen. Bill No. 5 of 2023)</p>	<p>The Bill seeks to provide for the production, processing, marketing and distribution of cotton in Kenya and its products; establish the Cotton Industry Development Board; provide a framework for cotton farming; ensure value addition to cotton and its related products; and for connected purposes</p>	<p>Agriculture</p>	<p>The bill aims to promote a sustainable cotton industry, potentially benefiting businesses through enhanced industry support and development incentives. It will bring about substantial positive transformations in the Kenyan cotton industry by creating a structured, supportive, and competitive environment. However, it also poses certain challenges in terms of compliance, costs, and adaptation</p>	<p><b>Committee Stage:</b> 31/07/2024; 07/08/2024 (ongoing)</p>

### Key Words and Their Definitions

FIRST (1 <sup>ST</sup> ) READ	PARLIAMENTARY COMMITTEE	SECOND (2 <sup>ND</sup> ) READ
<p>Occurs when a Bill is introduced in Parliament. A Bill is read for the first time by the Clerk reading only the title of the Bill and is referred to the relevant Committee.</p>	<p>This means a representative Committee which is a miniature of the main House. It is appointed or elected by the House or nominated by the Speaker. A Committee works under the direction of the Speaker and presents its report to the House or the Speaker. There are several types of committees as they all deal in specific stipulated areas.</p>	<p>A stage where the Senators debate the essence and principles of the Bill and give their views on the Bill.</p>

COMMITTEE OF THE WHOLE (COTW)	DIVISION	THIRD (3 <sup>RD</sup> ) READ
<p>This is a Committee composed of all Senators in plenary. At Committee, the Senate considers the Bill clause by clause and may amend the clauses. Any Senator, other than the sponsor of the Bill, who wishes to move an amendment to the Bill, must give written notification of the amendment to the Clerk at least 24 hours before the commencement of the sitting at which the amendment is to be considered.</p>	<p>Division occurs in two stages:</p> <ul style="list-style-type: none"> <li>a) Division 1 - which is the separation of the members of the House into two groups, for and against, so the votes can be counted and recorded in Hansard (the full reports (verbatim) of the speeches of Members of Parliament).</li>   <li>b) Division 2 - One of the parts that a country or state is divided into for the purpose of holding an election.</li> </ul>	<p>Once the Committee of the whole on a Bill is concluded, the Bill is reported back to the Senate. On adoption of the report on the Bill, the Bill is read a third time. No amendments may be moved at this stage except amending the motion to defer or postpone the third reading of the Bill to a future date.</p>

CONCURRENCE	MEDIATION COMMITTEE	PRESIDENTIAL ASSENT
<p>Where a Bill that is passed by the Senate is required to be submitted to the National Assembly, a certified copy of the Bill is forwarded to the Clerk of the National Assembly together with a Message signed by the Speaker requesting concurrence of the Assembly</p>	<p>Whenever the Senate does not agree to any of the amendments proposed by the National Assembly or rejects a Motion that a Bill which originated in the National Assembly, the Speakers of both Houses appoint a Mediation Committee, consisting of an equal number of Senators and Members of the National Assembly to develop a version of the Bill that is agreeable to both Houses.</p> <p>If the National Assembly agrees with the Bill and does not propose any amendments, the Senate forwards the Bill to the President for assent.</p> <p>If the National Assembly proposes amendments to the Bill, the amendments are submitted to the Senate and are circulated to the Senators.</p>	<p>Means that once a Bill originating in the Senate or National Assembly has been passed by both Houses where applicable, the Speaker refers the concluded Bill to the President for assent.</p> <p>The President is required to either assent to the Bill or refer the Bill back to the Senate for reconsideration within fourteen (14) days noting any reservations by the President. Where a Bill has been referred back to Parliament by the President, the Parliament may either amend the Bill in light of the President's reservations or pass it a second time without amendments or with amendments that do not fully accommodate the President's reservations. Parliament may either amend the Bill in light of the President's reservations or pass it a second</p>

The amendments are then considered in the Committee of the Whole. The Senate may then pass the Bill by including all the amendments or may reject any or all the amendments. Where an amendment is rejected, the Bill is referred to a mediation committee.

time without amendments or with amendments that do not fully accommodate the President's reservations.