



COUNTY GOVERNMENT OF KITUI
THE COUNTY ASSEMBLY
THIRD ASSEMBLY - (SECOND SESSION)
COMMUNICATION FROM THE CHAIR

No. 30 of 2023

**COMMUNICATION ON THE GOVERNOR'S MESSAGE AS RELATES TO
THE MEMORANDUM ON THE KITUI COUNTY SUPPLEMENTARY I
APPROPRIATION BILL, 2023 (KITUI COUNTY BILLS NO.5).**

Honourable Members,

As you all may recall, the Kitui County Supplementary Appropriations Bill, 2023 was passed by this House on 4th October, 2023 and subsequently forwarded to His Excellency the Governor for assent in accordance with the provisions of Section 24(2)(a) of the County Governments Act, 2012 and Standing Order No. 134 (1).

Honourable Members,

According to Section 24 (2) of the County Governments Act, 2012 the Governor has a window of fourteen (14) days from the receipt of a Bill to either:

- (a) Assent to the Bill; or
- (b) Refer the Bill back to the County Assembly with a Memorandum outlining reasons for the referral.

In this instance, however, His Excellency the Governor opted for the latter, and submitted a memorandum to the Speaker on 13th October, 2023, in

accordance with Section 24(2)(b) of the County Governments Act, 2012 expressing reservations and declining to assent to the Kitui County Supplementary Appropriation Bill, 2023.

Honourable Members,

Upon such a referral and as provided for under Section 24(3) of the County Governments Act, 2012, the County Assembly may, following the appropriate procedures under this section;

- (a) amend the Bill taking into account the issues raised by the Governor; or
- (b) pass the Bill without amendments.

Honourable Members,

In the event of an amendment, it is crucial to note the following provisions of the law pertaining the passage of the Bill the second time;

- (a) Section 24(4) of the County Governments Act, 2012 as read together with Standing Order No. 134(7) envisages that:
“if the County Assembly amends the Bill taking into consideration the issues raised by the Governor, the Speaker shall within fourteen days submit the Bill to the Governor for assent”,
and
- (b) On the other hand, as stipulated in Section 24(5) of the County Governments Act, 2012 as read together with Standing Order No. 134(8):
“if the County Assembly passes the Bill a second time without amendments or with amendments which do not accommodate the Governor’s concerns by a vote supported by **two-thirds** of the Members of the County Assembly, the Speaker shall within seven days re-submit the Bill to the Governor and the Governor shall within seven days assent to the Bill”.



Honourable Members,

In accordance with Standing Order No. 134(4) and in order to ensure a comprehensive review and thoughtful deliberation of the Governor's memorandum, I hereby commit it to the County Budget and Appropriations Committee for thorough examination and subsequent reporting back to the Assembly.

Thank you all.



HON. KEVIN KINENGO KATISYA
SPEAKER OF ASSEMBLY
COUNTY ASSEMBLY OF KITUI.

Tuesday, 24th October, 2023.