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NAIROBI, KENYA

SPECIAL ISSUE

Kenya Gazette Supplement No 8 (Homa Bay County Acts No 5)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

HOMA BAY COUNTY ACTS, 2020

NAIROBI, 9th July, 2020

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Date of Assent 2nd March, 2020

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**THE HOMA BAY COUNTY STATE OF THE
COUNTY ADDRESS ACT, 2020**

**AN ACT of the County Assembly of Homa Bay
toprovide for the delivery of the annual state of the
County Address by the Governor of Homa Bay
County to the County Assembly of Homa Bay, and
formatters incidental thereto**

ENACTED by the County Assembly of Homa Bay as
follows—

PART I – PRELIMINARY PROVISIONS

1 This Act may be cited as the Homa Bay County
State of the County Address Act, 2020 and shall come into
force on the fourteenth day after its publication in the
Kenya Gazette

Short title and
commencement

2 In this Act unless the context otherwise
requires—

Interpretation

“Address” means the state of the County Address
delivered by the Governor in the County Assembly,

“Chambers” means the County Assembly debating
chambers,

“County” means the County of Homa Bay,

“Gazette” means the Kenya Gazette and County
Gazette,

“Governor” means the Governor of Homa Bay
County,

“Member” means a member of the County Assembly
of Homa Bay as enshrined in Article 177 of the
Constitution,

“Speaker” means the Speaker of the County Assembly
of Homa Bay, and

“Year” means the period beginning January and
ending December

3 The purpose of this Act is to provide for the
delivery of the annual state of the County Address by the
Governor of Homa Bay County to the County Assembly of
Homa Bay

Purpose of the Act

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**PART II—DELIVERY OF THE ANNUAL STATE OF
THE COUNTY ADDRESS**

4 (1) The Governor shall deliver the annual state of the county address at the Chambers during a special sitting

The Governor's
Address

(2) The Governor shall deliver the annual state of the county address not later than the 30th day of March each calendar year

(3) The Governor shall notify the Speaker in writing of his/her intent to deliver the annual state of the County Address at least fourteen days prior to the delivery

(4) The Governor address shall contain—

- (a) a report on all the measures taken and the progress achieved in the realization of the national values referred to in Article 10 of the Constitution of Kenya 2010,
- (b) a report on the implementation status of the county policies and plans,
- (c) a report on the performance reports of the county executive committee and public service based on the performance management plan,
- (d) a report on citizen participation in the affairs of the county government, and
- (e) any other information that the Governor may deem fit

(5) The Governor shall cause to be published in the *Gazette* electronic print media the details of the measures and progress under section 4(a) above

5 (1) The Speaker shall notify the members and the general public of the place, date and time of the sitting under section 4(1) vide a Gazette Notice and through electronic and print media at least seven days prior to the delivery of the Address

Notification of place
date and time

(2) Whenever the Speaker has been informed that the Governor will address a special sitting of County Assembly on a specified day and time, then on that day, no Motion for the adjournment of the County Assembly shall be made before the time for which the Governor's arrival has been

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notified

6 Members shall be called to order and stand in silence whenever the Governor enters or leaves the Chamber

Governor entering or leaving the Chamber

7 (1) The Governor may be accompanied in the Chamber by an *aide-de-camp*

Delivery of Governor's Address

(2) During the address of the Governor to the County Assembly, the Speaker shall take the seat on the right of the Governor

(3) When delivering the address to the County Assembly, the Governor shall be heard in silence and the address shall not be followed by any comment or question

8 (1) A Member shall lay the Address on the table of the County Assembly in the next sitting of the County Assembly following the reading of the Address

Tabling and debate of Address

(2) A Member may give a notice of Motion that "The Thanks of the County Assembly be recorded for the exposition of public policy contained in the Address of the Governor"

(3) The debate on the Motion in subsection (2) shall not exceed four sitting days

PART III MISCELLANEOUS PROVISIONS

9 (1) The public may access the County Assembly during the delivery of the address subject to the provisions of section 5 of the County Assemblies Powers and Privileges Act, 2017

public access

(2) The County Assembly may not exclude any person from a sitting of the County Assembly unless, in exceptional circumstances, the Speaker has determined that there are justifiable reasons for the exclusion

10 (1) The proceedings of the County Assembly may be broadcast by the County Assembly Broadcasting Unit established under the County Assembly Standing Orders

External media

(2) No external media House or other person may broadcast any proceedings of the Assembly except as received from the broadcast feed provided by the County

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Assembly Broadcasting Unit or with the permission of the Speaker

(3) An external media that receives a broadcast feed from the County Assembly Broadcasting Unit shall broadcast it without any manipulation or distortion

(4) No camera or other recording or broadcasting equipment shall be allowed in the County Assembly precincts without authorization

(5) Accredited journalists shall be allowed access to designated areas for purposes of following the proceedings and taking notes and any journalist so allowed shall observe the Standing Orders, this Act and other relevant legislation

11 The first delivery of the address by the Governor to the County Assembly under this Act shall be within thirty days of the publication of this Act

Transitional
provisions