

ASSEMBLY THIRD READING
AB 2187 (Ramos)
As Introduced February 19, 2026
Majority vote

SUMMARY

Exempts California Native American tribes from certain requirements governing public contracts for goods and services.

Major Provisions

- 1) Exempts contracts that can only be performed by a federally recognized California Native American tribe from certain advertising and bidding requirements under the law that governs state acquisition of goods and services.
- 2) Exempts contracts with a federally recognized California Native American tribe from an existing law that requires a state agency offering a public contract to secure at least three competitive bids or proposals for each contract. This exemption parallels an existing exemption for state agency contracts with other public entities.
- 3) Authorizes a federally recognized California Native American tribe to include a subcontract with any subdivision, subsidiary, or business enterprise wholly owned by a federally recognized California Native American tribe for the purpose of fulfilling interagency agreements if the tribe provides a limited waiver of sovereign immunity and a justification of cost of service to show market equivalence of similar services.
- 4) Exempts California Native American tribes awarded a consulting services contract for tribal cultural resources from an existing law that prohibits a person or entity that has been awarded a consulting services contract from submitting a bid or being awarded a contract relating to services, goods, supplies or other action that is required or deemed appropriate in the end product of the consulting services contract.

COMMENTS

The Public Contracts Code governs state acquisition of goods and services, most notably by imposing bidding requirements and restrictions. For example, existing law requires a public agency to secure at least three bids for each service contract, and, subject to certain exemptions, it prohibits an entity that is awarded a contract from bidding on constituent subcontracts. However, existing law also makes several exemptions to these requirements, especially and most notably where a public entity contracts with another public entity for goods and services. This bill would effectively provide some of the same exemptions to federally recognized California Native American tribes, which, after all, are sovereign governments in their own right.

According to the author, this will strengthen the state's relationship with California's tribes by making it easier for state agencies to work directly with tribal governments and their businesses. While the federal government already prioritizes contracting with tribes, recognizing the importance of supporting their self-governance, the author maintains that California has no similar policy. This bill addresses this disparity by exempting federally recognized California tribes from bidding requirements similar to the manner in which public agencies are exempted

from these requirements. This will make it easier for state agencies to contract with Native California tribes without being subject to the usual bidding requirements.

According to the Author

AB 2187 will help strengthen the state's relationship with California's tribes by making it easier for state agencies to work directly with tribal governments and their businesses. Right now, tribes are disproportionately disadvantaged when competing for state contracts. While the federal government already allows direct contracting with tribes, recognizing the importance of supporting their self-governance, California has no similar policy. AB 2187 will address this inequity by ensuring that state contracting with tribal nations and their businesses is recognized as government-to-government negotiation. This change will give tribes access to more contracting opportunities, helping them support their local economies and their people.

Arguments in Support

The Twenty Nine Palms Band of Mission Indians, the bill's sponsor, writes in support:

[The] U.S. Department of the Interior has long recognized the importance of supporting tribal economic development through procurement opportunities. Under the Buy Indian Act, federal agencies such as the Bureau of Indian Affairs and the Bureau of Indian Education are required to prioritize contracting with American Indian and Alaska Native businesses whenever feasible. California, however, does not have a similar system in place, which limits how easily the state can partner with tribes.

AB 2187 helps address this gap by allowing state agencies to contract directly with federally recognized tribes and their tribally owned enterprises without going through the full competitive bidding process. This makes it easier for the state and local governments to work with tribes in areas where they have specialized expertise, such as in land management, cultural resource protection, and environmental stewardship.

By expanding access to state procurement opportunities, AB 2187 would create new pathways for tribal nations to support their communities and advance long-term self-sufficiency. It would also allow the state to benefit from tribal knowledge in reaching the state's environmental and cultural goals.

Arguments in Opposition

None on file

FISCAL COMMENTS

According to the Assembly Appropriations Committee, minor and absorbable costs to the Department of General Services (DGS) to update the State Contracting Manual and related materials with this bill's exemptions for certain state contracts with a tribe.

However, if such exemptions are enacted, DGS would no longer review exempt contracts between a tribe and a state agency. DGS notes that the value of its contract oversight is to ensure a state agency appropriately awards the contract inclusive of statutorily required terms and conditions. DGS notes that the potential fiscal impact of failing to include terms that protect the state from liabilities or other monetary harm can be substantial to the awarding agency. Thus,

this bill could result in costs of an unknown, but potentially significant amount, in excess of \$150,000, to the state (General Fund (GF) or special fund).

The Legislative Analyst's Office recently warned of GF structural deficits of around \$35 billion per year in the 2027-28 fiscal year and ongoing.

VOTES

ASM JUDICIARY: 12-0-0

YES: Kalra, Macedo, Lee, Bryan, Connolly, Dixon, Harabedian, Pacheco, Papan, Sanchez, Stefani, Zbur

ASM GOVERNMENTAL ORGANIZATION: 21-0-1

YES: Blanca Rubio, Davies, Alvarez, Bryan, Carrillo, Dixon, Fong, Gabriel, Gallagher, Gipson, Macedo, McKinnor, Nguyen, Pacheco, Ramos, Michelle Rodriguez, Solache, Soria, Ta, Valencia, Wallis

ABS, ABST OR NV: Berman

ASM APPROPRIATIONS: 15-0-0

YES: Wicks, Hoover, Aguiar-Curry, Calderon, Caloza, Dixon, Fong, Mark González, Krell, Pacheco, Pellerin, Sharp-Collins, Solache, Ta, Tangipa

UPDATED

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CONSULTANT: Tom Clark / JUD. / (916) 319-2334

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