

While in the state legislature, Julia Brownley voted for a bill that hiked California’s gas tax, which then allowed California to have the highest gas tax in the nation.

BACKUP:

In 2010, Governor Arnold Schwarzenegger signed AB 6 and SB 70 which lowered the sales and use tax rate on gasoline and increased the excise tax rate on July 1, 2010:

- In 2010, Governor Arnold Schwarzenegger signed bills which lowered the sales and use tax rate on gasoline and increased the excise tax rate on July 1, 2010. “In 2010, Gov. Arnold Schwarzenegger signed Assembly Bill x8 6, Ch. 11, and Senate Bill 70, Ch. 9. These bills lowered the sales and use tax rate on gasoline and increased the excise tax rate on July 1, 2010.” (Staff, “Gasoline Excise Tax in California to Increase 3.5 Cents on July 1, 2013,” [Business Fleet](#), 03/03/13)

Julia Brownley voted for AB 6 and SB 70:

- Julia Brownley voted for AB 6.

Bill Votes	
Date	03/04/10
Result	(PASS)
Location	Assembly Floor
Ayes Count	41
Noes Count	32
NVR Count	6
Motion	AB6 BUDGET Concurrence in Senate Amendments By EVANS Eighth Extraordinary Session
Ayes	Ammiano, Arambula, Bass, Beall, Blumenfeld, Bradford, Brownley, Charles Calderon, Chesbro, Coto, Davis, De La Torre, De Leon, Eng, Evans, Feuer, Fong, Fuentes, Furutani, Galgiani, Hall, Hayashi, Hernandez, Hill, Huffman, Jones, Lieu, Bonnie Lowenthal, Ma, Monning, Portantino, Ruskin, Salas, Saldana, Skinner, Solorio, Swanson, Tortakson, Torrico, Yamada, John A. Perez
Noes	Adams, Anderson, Bill Berryhill, Tom Berryhill, Blakeslee, Buchanan, Caballero, Conway, Cook, DeVore, Emmerson, Fletcher, Fuller, Gaines, Garrick, Hagman, Harkey, Jeffries, Knight, Logue, Miller, Nava, Nestande, Niello, Nielsen, Norby, V. Manuel Perez, Silva, Smyth, Audra Strickland, Tran, Villines
NVR	Block, Carter, Gilmore, Huber, Mendoza, Torres

(AB 6, Y: 41, N: 32, NVR: 6, Brownley voted Yea, [California Legislative Information](#), 03/04/10)

- Julia Brownley voted for SB 70.

Bill Votes	
Date	03/22/10
Result	(PASS)
Location	Assembly Floor
Ayes Count	70
Noes Count	2
NVR Count	7
Motion	SB 70 B.& F. R. Senate Third Reading By BLUMENFIELD
Ayes	Adams, Ammiano, Arambula, Bass, Beall, Bill Berryhill, Tom Berryhill, Blakeslee, Block, Blumenfeld, Bradford, Brownley, Charles Calderon, Carter, Chesbro, Cook, Coto, Davis, De Leon, DeVore, Emmerson, Eng, Evans, Feuer, Fletcher, Fong, Fuentes, Fuller, Furutani, Gaines, Galgiani, Garrick, Gilmore, Hagman, Hall, Harkey, Hayashi, Hernandez, Hill, Huber, Huffman, Jeffries, Lieu, Logue, Bonnie Lowenthal, Ma, Mendoza, Monning, Nava, Nestande, Niello, Nielsen, Norby, V. Manuel Perez, Portantino, Ruskin, Salas, Silva, Skinner, Smyth, Solorio, Audra Strickland, Swanson, Tortakson, Torres, Torrico, Tran, Villines, Yamada, John A. Perez
Noes	Buchanan, Caballero
NVR	Anderson, Conway, De La Torre, Jones, Knight, Miller, Saldana

(SB 70, Y: 70, N: 2, NVR: 7, Brownley voted Yea, [California Legislative Information](#), 03/22/10)

The laws require the annual sales and excise taxes paid on gasoline to remain revenue neutral:

- The laws require the annual sales and excise taxes paid on gasoline to remain revenue neutral. “The laws require the annual sales and excise taxes paid on gasoline to remain revenue neutral. They also mandated the BOE to adjust the excise tax rate by March 1 of each year in order to ensure revenue neutrality.” (Staff, “Gasoline Excise Tax in California to Increase 3.5 Cents on July 1, 2013,” [Business Fleet](#), 03/03/13)
 - As gasoline prices increase, the relative amount of state sales tax that would be collected decreases, and it must be offset by an increase in the excise tax rate. “As gasoline prices increase, the relative amount of state sales tax that would be collected decreases (save for the fuel tax swap) and it must be offset by an increase in the excise tax rate, according to the BOE.” (Staff, “Gasoline Excise Tax in California to Increase 3.5 Cents on July 1, 2013,” [Business Fleet](#), 03/03/13)

- Before the tax swap, fuels were subject to a state excise tax of 18 cents a gallon as well as state sales tax of 6%. “In 2010, the Legislature enacted a “tax swap” intended to create more budget flexibility. Before the tax swap, fuels were subject to a state excise tax of 18 cents a gallon as well as state sales tax of 6%.” (Gas Tax Swap, [California Transit Association](#), Accessed 09/12/22)

Under the swap, the excise tax on gasoline was raised initially to 35.3 cents a gallon and the sales tax was eliminated:

- **Under the swap, the excise tax on gasoline was raised initially to 35.3 cents a gallon and the sales tax was eliminated.** “Under the swap, the excise tax on gasoline was raised initially to 35.3 cents a gallon and the sales tax was eliminated. The additional 17.3 cents a gallon excise tax was needed to produce the amount of revenues as had the sales tax.” (Gas Tax Swap, [California Transit Association](#), Accessed 09/12/22)
- **The additional excise tax was to be adjusted annually to maintain tax ‘neutrality’ with the sales tax on gasoline discontinued.** “The additional excise tax was to be adjusted annually to maintain tax “neutrality” with the sales tax on gasoline discontinued. The excise tax on diesel fuel was to be 13.6 cents a gallon and the sales tax on diesel was to be 6.75%.” (Gas Tax Swap, [California Transit Association](#), Accessed 09/12/22)

The tax swap legislation was intended to provide immediate budget relief to the state through a loan from fuel excise tax revenues to the General fund:

- **The tax swap legislation was intended to provide immediate budget relief to the state through a loan from fuel excise tax revenues to the General fund.** “The tax swap legislation was intended to provide immediate budget relief to the state through a loan from fuel excise tax revenues to the General Fund, as well to make future budgeting easier by increasing use of flexible funding sources.” (Gas Tax Swap, [California Transit Association](#), Accessed 09/12/22)
 - **Gas taxes could not previously be used to pay debt service on general state transportation bonds, whereas the State Constitution did allow the use of fuel excise tax revenues to pay transportation debt service.** “Increased flexibility resulted from the fact that in California, gas taxes cannot be used to pay debt service on general state transportation bonds, whereas the State Constitution did allow the use of fuel excise tax revenues to pay transportation debt service.” (Gas Tax Swap, [California Transit Association](#), Accessed 09/12/22)
 - **The swap also provided funding from the new excise tax to backfill gasoline sales tax revenues that would have provided funding under the old system.** “The swap also provided funding from the new excise tax to ‘backfill’ gasoline sales tax revenues that would have been provided under the old funding system to local agencies for their streets and roads programs. Funding for the State Transportation Improvement Program, which previously came from the sales tax, was also maintained at approximately the same levels that had previously been provided.” (Gas Tax Swap, [California Transit Association](#), Accessed 09/12/22)

A 3.5-cent increase in the state gasoline tax went into effect in 2013 and California then became the state with the highest gas tax in the nation at nearly 72 cents per gallon:

- **A 3.5-cent increase in the state gasoline tax went into effect in 2013.** “Nobody likes high gas prices – or taxes – and Californians are about to get hit with both when a 3.5-cent increase in the state gasoline tax kicks in Monday.” (Gary Richards, “State gas tax rises 3.5 cents Monday, giving California the highest in the nation,” [The Mercury News](#), Updated 08/12/16)
 - **California then became the state with the highest gas tax in the nation at nearly 72 cents per gallon.** “That will give the Golden State the highest gas tax in the nation – nearly 72 cents a gallon.” (Gary Richards, “State gas tax rises 3.5 cents Monday, giving California the highest in the nation,” [The Mercury News](#), Updated 08/12/16)
 - **The increase was approved by the five-member state Board of Equalization in February under a complicated “gas tax swap” that eliminated most sales taxes on fuel purchases in favor of a higher excise tax.** “The increase was approved by the five-member state Board of Equalization in February under a complicated “gas tax swap” that eliminated most sales taxes on fuel purchases in favor of a higher excise tax.” (Gary Richards, “State gas tax rises 3.5 cents Monday, giving California the highest in the nation,” [The Mercury News](#), Updated 08/12/16)
 - **Sales tax revenues fund local government programs, while the state excise tax on gas funded highway and mass transit project.** “Sales tax revenues fund local government programs, while the state excise tax on gas funds highway and mass transit projects throughout the state.” (Gary Richards, “State gas tax rises 3.5 cents Monday, giving California the highest in the nation,” [The Mercury News](#), Updated 08/12/16)
- **At the time, the average tax on a gallon of gas was 49 cents nationwide.** “The average tax on a gallon of gas is 49 cents nationwide. New York has the second-highest with 68.9 cents, according to the American Petroleum Institute, Board of Equalization member George Runner voted against the tax hike, saying taxpayers have a right to be angry.” (Gary Richards, “State gas tax rises 3.5 cents Monday, giving California the highest in the nation,” [The Mercury News](#), Updated 08/12/16)
- **Taxable sales of gas in California fell from 15.9 billion gallons in 2006 to 14.6 billion gallons, resulting in a \$157 million shortfall in revenue.** “Taxable sales of gas in California have fallen from 15.9 billion gallons in 2006 to 14.6 billion gallons last year, a result of the recession and vehicles that get better mileage. That translated to a \$157 million shortfall in revenue last year.” (Gary Richards, “State gas tax rises 3.5 cents Monday, giving California the highest in the nation,” [The Mercury News](#), Updated 08/12/16)
- **HEADLINE: “State gas tax rises 3.5 cents Monday, giving California the highest in the nation.”**

NEWS

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(Gary Richards, “State gas tax rises 3.5 cents Monday, giving California the highest in the nation,” [The Mercury News](#), Updated 08/12/16)

The Legislature gave the tax board the authority to raise the excise tax by a simple vote:

- **The Legislature gave the tax board the authority to raise the excise tax by a simple vote.** “The Legislature gave the tax board the authority to raise the excise tax by a simple majority vote.” (Gary Richards, “State gas tax rises 3.5 cents Monday, giving California the highest in the nation,” [The Mercury News](#), Updated 08/12/16)
 - **If a tax had gone before voters as a special tax, it would have needed a two-thirds majority.** “If a tax had gone before voters as a special tax, it would have needed a two-thirds majority.” (Gary Richards, “State gas tax rises 3.5 cents Monday, giving California the highest in the nation,” [The Mercury News](#), Updated 08/12/16)