

1939 CODE

§ 22. Gross income—(a) General definition.

"Gross income" includes gains, profits, and income derived from salaries, wages, or compensation for personal service (including personal service as an officer or employee of a State, or any political subdivision thereof, or any agency or instrumentality of any one or more of the foregoing), of whatever kind and in whatever form paid, or from professions, vocations, trades, businesses, commerce, or sales, or dealings in property, whether real or personal, growing out of the ownership or use of or interest in such property; also from interest, rent, dividends, securities, or the transaction of any business carried on for gain or profit, or gains or profits and income derived from any source whatever. In the case of Presidents of the United States and judges of courts of the United States taking office after June 6, 1932, the compensation received as such shall be included in gross income; and all Acts fixing the compensation of such Presidents and Judges are hereby amended accordingly. In the case of judges of courts of the United States who took office on or before June 6, 1932, the compensation received as such shall be included in gross income.

§ 11. Normal tax on individuals.

There shall be levied, collected, and paid for each taxable year upon the net income of every individual a normal tax of 4 per centum of the amount of the net income in excess of the credits against net income provided in section 25. (53 Stat. 5.)

DERIVATION

Act May 28, 1938, ch. 239, § 11, 52 Stat. 452.

1954 CODE

Sec. 61. Gross income defined.

(a) General definition.

Except as otherwise provided in this subtitle, gross income means all income from whatever source derived, including (but not limited to) the following items:

- (1) Compensation for services, including fees, commissions, fringe benefits, and similar items;
- (2) Gross income derived from business;
- (3) Gains derived from dealings in property;
- (4) Interest;
- (5) Rents;
- (6) Royalties;
- (7) Dividends;
- (8) Alimony and separate maintenance payments;
- (9) Annuities;
- (10) Income from life insurance and endowment contracts;
- (11) Pensions;
- (12) Income from discharge of indebtedness;
- (13) Distributive share of partnership gross income;
- (14) Income in respect of a decedent; and
- (15) Income from an interest in an estate or trust.

(b) Cross references.

For items specifically included in gross income, see part II (sec. 71 and following). For items specifically excluded from gross income, see part III (sec. 101 and following).

In 1988, P.L. 100-647, Sec. 6252(a)(1), repealed Sec. 6 of P. L. 98-4 [reproduced below].

Prior to repeal, Sec. 6 of P. L. 98-4 read as follows:

"Sec. 6. Study.

"(a) General rule.

"The Secretary of the Treasury or his delegate, after consultation with the Secretary of Agriculture, shall conduct a study of

"(1) the 1983 payment-in-kind program, and

"(2) the tax treatment provided with respect to such program by this Act.

"(b) Report.

"Not later than September 1, 1983, the Secretary of the Treasury shall submit to the Congress a report on the study conducted under subsection (a), together with such recommendations as he may deem advisable."

In 1986, P.L. 99-272, Sec. 13207(d), redesignated Sec. 531(g) of P. L. 98-369 as Sec. 531(h) [reproduced below].

In 1984, P.L. 98-369, Sec. 531(c), substituted "commissions, fringe benefits, and similar items" for "commissions, and similar items" in para. (a)(1), effective on 1/1/85. Sec. 531(h) of this Act [as amended by Sec. 13207(d) of P.L. 99-272, see above] provides:

Sec. 1. Tax imposed.

(a) Married individuals filing joint returns and surviving spouses.

There is hereby imposed on the taxable income of—

- (1) every married individual (as defined in section 7703) who makes a single return jointly with his spouse under section 6013, and
- (2) every surviving spouse (as defined in section 2(a)),

a tax determined in accordance with the following table: