

SEC. 61. GROSS INCOME DEFINED.

[Sec. 61(a)]

(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, and similar items;⁽¹⁾
- (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.

Source: Sec. 22(a), 1939 Code, substantially unchanged.

The footnote in the new 1954 version of the I.R. Code.

26 USCS § 61

INCOME TAXES

§ 61. Gross income defined.

(a) **General definition.** Except as otherwise provided in this subtitle [26 USCS §§ 1 et seq.], gross income means all income from whatever source derived, including (but not limited to) the following items:

- (1) Compensation for services, including fees, commissions, 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) [26 USCS §§ 71 et seq.]. For items specifically excluded from gross income, see part III (sec. 101 and following) [26 USCS §§ 101 et seq.].

(Aug. 16, 1954, ch 736, 68A Stat. 17.)

HISTORY; ANCILLARY LAWS AND DIRECTIVES

Prior law:
IRC 1939, § 22(a).

Another version also shows
Section 22 as the prior law.

SEC. 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.

26 U.S.C. (1939 I.R.C.)

22	26 Part 519
40	26 Part 1
62	26 Parts 509, 513, 514, 520, 521
143-144	26 Part 521
211	26 Part 521
231	26 Part 521
800-938	26 Part 507
3791	26 Parts 509, 514, 520

You can see above, that Section 22 is the nearly the same, but note (left) that Section 22 is only implemented under Title 26 Part 519.

Notice that Section 62 is also only implemented under Parts shown in the table below.

(Parts 500 to 599)

SUBCHAPTER G--REGULATIONS UNDER TAX CONVENTIONS

Tax conventions are tax treaties !

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522 — 599	[Reserved]	

And Part 519 is the Canadian Tax Treaty