

U.S. CODE ORGANIZATION

The United States Code

Title 26 – Internal Revenue Code (IRC)

Subtitle A – Income Taxes

Chapter 1 – Normal Taxes

Subchapter B – Computation of Taxable Income

Part III – Items Specifically Excluded from Taxable Income

Section 102 - Gifts and Inheritances

Subsection (a) - General rule

**Gross income does not include the value of property
acquired by gift, bequest, devise, or inheritance.**

Let's look at a specific section of the IRC that tells us that gifts and inheritances are not taxable income to the recipient. It's found in Title 26, Subtitle A, Chapter 1, Subchapter B, Part III, Section 102, Subsection (a).

26 U.S. Code § 102. Gifts and inheritances

U.S. Code	Notes
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(a) GENERAL RULE

Gross income does not include the value of property acquired by gift, bequest, devise, or inheritance.

(b) INCOME Subsection (a) shall not exclude from gross income—

(1) the income from any property referred to in subsection (a);
or

(2) where the gift, bequest, devise, or inheritance is of income from property, the amount of such income.

Where, under the terms of the gift, bequest, devise, or inheritance, the payment, crediting, or distribution thereof is to be made at intervals, then, to the extent that it is paid or credited or to be distributed out of income from property, it shall be treated for purposes of paragraph (2) as a gift, bequest, devise, or inheritance of income from property. Any amount included in the gross income of a beneficiary under subchapter J shall be treated for purposes of paragraph (2) as a gift, bequest, devise, or inheritance of income from property.

(c) EMPLOYEE GIFTS

(1) IN GENERAL

Subsection (a) shall not exclude from gross income any amount transferred by or for an employer to, or for the benefit of, an employee.

(2) CROSS REFERENCES

For provisions excluding certain employee achievement awards from gross income, see section 74(c).

For provisions excluding certain de minimis fringes from gross income, see section 132(e).

(Aug. 16, 1954, ch. 736, 68A Stat. 28; Pub. L. 99-514, title I, § 122(b), Oct. 22, 1986, 100 Stat. 2110.)