

**Income Taxation (LAW 6600)**

*Office Hours, Telephone and E-mail*

My office is located in Holland Hall 325B. Regular office hours are on Tuesday 10:00 – 12:00 a.m., or by appointment. You can also reach me by e-mail at [burkek@law.ufl.edu](mailto:burkek@law.ufl.edu).

*Course Materials*

The casebook used in this course will be Freeland, Lathrope Lind & Stephens, *Fundamentals of Federal Income Taxation* (19th ed. 2018). You should also have a current copy of the Internal Revenue Code and Regulations (complete or selected versions). Recommended Reading: Chirelstein & Zelenak, *Federal Income Taxation* (15th ed. 2018).

*Course Objectives*

This course introduces students to the federal income tax. The primary focus is on the Internal Revenue Code, as amplified in administrative regulations and rulings, and leading judicial decisions; alternative tax systems (including consumption taxation) are also considered. Coverage includes issues of tax timing and basic financial concepts bearing on modern business transactions. Critical attention is directed to the use of tax provisions to promote social and economic policies and influence individual taxpayer behavior at all income levels; among the tax incentives considered are business expensing, capital gains preferences, qualified retirement plans and special-purpose savings vehicles, medical and educational tax breaks, and the earned income tax credit. Income Taxation is a prerequisite for many advanced tax courses.

*Class Meetings, Attendance and Reading Assignments*

Class will meet on Monday, Tuesday, and Wednesday at 3:30 – 4:45. All class sessions will be accessible via Zoom; links to Zoom class meetings and recordings will be posted on Canvas. Students are not permitted to make, post, or circulate audio or video recordings of class sessions. All students should arrange to have a reliable internet connection and access to Zoom and Canvas. Regular and punctual class attendance is required. A student with more than four unexcused class absences may be penalized in the final grade or excluded from the course. Students should be prepared to discuss the assigned readings and problems in class, and may expect to spend up to two hours of preparation for every class hour. The reading assignment for the first week of classes is Freeland, Lathrope Lind & Stephens, pp. 1-40. Additional reading assignments will be posted on the course website (Canvas).

*Topical Outline*

**The topics will be covered in the following order:**

- I. Introduction
- II. Gross Income Concept
- III. Gift Exclusion
- IV. Fringe Benefits
- V. Prizes and Awards
- VI. Property Transactions
  - A. Determination of Basis
  - B. Amount Realized and Gain
- VII. Annuities
- VIII. Discharge of Indebtedness
- IX. Damages
- X. Separation and Divorce
- XI. Other Exclusions from Gross Income
- XII. Business Deductions
  - A. Ordinary and Necessary
  - B. Miscellaneous Business Deductions and Losses
  - C. Depreciation
  - D. Recapture on Sale of Depreciable Property
- XIII. Nonbusiness Deductions
  - A. Profit-Seeking Activities
  - B. Interest and Taxes
- XIV. Restrictions on Deductions
  - A. Entertainment and Meals
  - B. Hobby Losses
  - C. Illegality or Impropriety
- XV. Deductions Limited to Individuals
  - A. Medical Expenses
  - B. Qualified Tuition
  - C. Concept of Adjusted Gross Income
  - D. Standard Deduction
  - E. Charitable Deductions
  - F. Casualty and Theft Losses
- XVI. Capital Gains and Losses
- XVII. Deferral and Nonrecognition
  - A. Installment Sales
  - B. Property Transferred in Connection with Services
  - C. Like-Kind Exchanges
  - D. Qualified Opportunity Funds

- XVIII. Special Status or Rates
- A. Marital Status
  - B. Passthrough Deduction
  - C. Net Capital Gains and Dividends
  - D. Net Investment Income Tax

### *Evaluation*

Students will be evaluated primarily based on the final examination, which will be graded anonymously. Grades will follow the law school grading policy, which is available at <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/uf-law-student-handbook-and-academic-policies/>. In calculating the final grade for the course, the grade awarded on the final examination may be raised by one grade level to reflect active, voluntary participation of consistently high quality in class discussion.

Students are encouraged to provide feedback on this course by completing an online evaluation shortly before the end of the semester. Students will be notified in advance of the online evaluation period. Summary results of the evaluation are available at <https://gatorevals.aa.ufl.edu/public-results/>.

### *Makeup Exams*

The law school policy on delay in taking exams can be found at: <https://www.law.ufl.edu/life-at-uf-law/office-of-student-affairs/current-students/forms-applications/exam-delays-accommodations-form/>.

### *Disability Accommodation*

Students with disabilities requesting accommodations should first register with the Disability Resource Center ([www.dso.ufl.edu/drc/](http://www.dso.ufl.edu/drc/)) by providing appropriate documentation. Once registered, students will receive an accommodation letter which must be presented to the Law School Office of Student Affairs when requesting accommodations. Students with disabilities should follow this procedure as early as possible in the semester.

### *Honor Code*

Students are subject to the UF Student Honor Code, which can be found at <https://sccr.dso.ufl.edu/process/student-conduct-code/>.

### *Learning Outcomes*

Upon completion of the course, students should have a basic understanding of the structure and policies underlying the federal income tax system, enabling them to analyze planning opportunities for

individual taxpayers and preparing them, if they desire, to pursue advanced courses in business taxation, including corporate taxation and partnership taxation.