

The IRS Jurisdiction's Scope

To avoid paying taxes, protesters normally attempt to dispute the IRS's extent because of its unclear jurisdiction. To avoid suffering IRS problems in the future, have a look at how far the jurisdiction of the Internal Revenue Service reaches.

The authority given to legal bodies or political leaders to enforce consequences and address legal matters is known as jurisdiction. Movies or television shows dealing with crimes usually applies this term.

The IRS is a little more amorphous because it has jurisdiction over all the taxpayers in the US, as well as people who earn any income in the United States. If you don't understand that you have obligations to pay taxes as a taxpayer, you will definitely have IRS problems.

Here's an excerpt from Title 26 of the Code of Federal Regulations which pertains to the IRS:

"The Internal Revenue Service is a bureau of the Department of the Treasury under the immediate direction of the Commissioner of Internal Revenue. The Commissioner has general superintendence of the assessment and collection of all taxes imposed by any law providing internal revenue. The Internal Revenue Service is the agency by which these functions are performed."

So the IRS has jurisdiction over all taxes in all states that provide revenue for the country, as well as over United States citizens residing in foreign countries or who make money in foreign countries and non-residents who make money in the US. IRS problems can ensue if you are in one of these categories and don't pay taxes on earnings, property, capital gains, and more.

The IRS has no jurisdiction over certain people. To explain that non-taxpayers are excluded from the regulations and rules of the IRS is this excerpt from the Economy Plumbing and Heating Co. vs. The US case:

"The revenue laws are a code or system in regulation of tax assessment and collection. They relate to taxpayers, and not to non-taxpayers. The latter are without their scope. No procedure is prescribed for non-taxpayers, and no attempt is made to annul any of their rights and remedies in due course of law. With them [non-taxpayers] Congress does not assume to deal, and they are neither of the subject nor of the object of the revenue laws."

You have to find out if you are a non-taxpayer or not to avoid IRS problems. You can look at the IRS website or on your particular state's tax website.

To negate the IRS jurisdictional powers, tax protesters regularly make several arguments. A few claim that the 16th Amendment was never ratified properly, so the IRS is unconstitutional. The 16th Amendment providing the power to lay and collect taxes on income to Congress was voted by three-fourth majority so it was officially ratified.

Another argument is that the IRS isn't a government agency at all, and hence, has no jurisdiction or power over anyone. This is a ridiculous argument because the Secretary of the Treasury has power to administer and enforce internal revenue laws. Based on this power, the IRS was started. Arguments such as these can lead honest people to encounter serious IRS issues. Taxpayers are indeed under the jurisdiction of the IRS.

As a taxpayer, you are under IRS jurisdiction. Inaccurate declaration of income and failure to pay taxes will lead to serious IRS problems.

Darrin T. Mish is a Nationally recognized Attorney whose practice focuses on representing clients across the United States with IRS Problems. He is AV rated by Martindale-Hubbel and is a member of the American Society of IRS Problem Solvers and the Tax Freedom Institute. He has been honored by a listing in Martindale-Hubbel's Bar Register of Preeminent Lawyers. His passion is providing IRS help to taxpayers with both individual and payroll tax problems. He also spends a great deal of time traveling the nation providing training to attorneys, CPAs and Enrolled Agents on how to handle their toughest cases with the IRS. If you would like more information about his services please visit <http://getirshelp.com>.