



County Technical Assistance Service

Published on e-Li (<https://eli.ctas.tennessee.edu>)

November 15, 2019

Salary Supplement-Deputy Sheriffs

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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Salary Supplement-Deputy Sheriffs

Reference Number: CTAS-1231

Every county that requires all deputy sheriffs to complete an annual 40-hour in-service training course appropriate to the deputy's rank and responsibility at a school certified or recognized by the POST Commission is entitled to receive 5 percent of each qualified deputy's annual salary, but not more than \$600 for any one deputy in any one year, from the commission to be paid to each deputy in addition to the deputy's regular salary. In the event that 5 percent of a qualified deputy's annual salary does not amount to \$600, the deputy is nevertheless entitled to receive the full amount of \$600 as is any other qualified deputy, subject only to the specific appropriation of funds in the general appropriations act for the purpose of implementing the provisions of Title 38, Chapter 8. T.C.A. §§ 38-8-111(a)(1) and 38-8-111(c); [Rules of the Tennessee Peace Officer Standards and Training Commission, Rule 1110-6-.01](#). *Carter v. McWhorter*, 859 S.W.2d 343 (Tenn. Ct. App. 1993).

To be eligible to receive the salary supplement, a deputy sheriff must successfully complete 40 hours of in-service training during the calendar year. A deputy who has not completed eight months of full-time service during the calendar year is not eligible to receive the salary supplement except in the case of the deputy's death, retirement, or medical disability provided that the 40 hours of in-service training was completed prior to the death, retirement, or medical disability. Upon the submission of the proper documentation by a deputy, the commission will include time spent in active military service when calculating the required eight months of full-time service. Deputies who attend the Basic Law Enforcement School are not eligible to receive the salary supplement during that calendar year and are not required to attend in-service training during that year. These deputies are eligible to receive the salary supplement the following calendar year after successfully completing 40 hours of in-service training. Deputies terminated for cause or decertified during the calendar year are not eligible to receive the salary supplement. Notwithstanding any other provision of law, rule or regulation to the contrary, any deputy sheriff who served or serves on active duty in the armed forces of the United States during Operation Enduring Freedom or any other period of armed conflict prescribed by presidential proclamation or federal law that occurs following the period of Operation Enduring Freedom will receive the cash salary supplement if his or her service prevented or prevents attending the in-service training program. T.C.A. § 38-8-111(a)(2) and (a)(3); [Rules of the Tennessee Peace Officer Standards and Training Commission, Rule 1110-6-.02](#).

POST Commission funds made available to the county under T.C.A. § 38-8-111(a) and (b) must be received, held and expended in accordance with the provisions of T.C.A. § 38-8-111(a)-(c), the rules and regulations issued by the commission, and the following specific restrictions:

1. Funds provided shall be used only as a cash salary supplement to deputy sheriffs;
2. Each deputy sheriff shall be entitled to receive the state supplement which the deputy's qualifications brought to the county;
3. Funds provided shall not be used to supplant existing salaries or as substitutes for normal salary increases periodically due to deputy sheriffs; and
4. The cash salary supplement shall be considered as a bonus for the successful completion of training and shall not be considered as salary for subsequent years' determination of supplement or retirement purposes.

T.C.A. § 38-8-111(b). See [also Rules of the Tennessee Peace Officer Standards and Training Commission, Rule 1110-6-.03](#). All accounts are subject to audit by the state comptroller, and all records pertaining to salary supplements are subject to inspection by personnel of the POST Commission. [Rules of the Tennessee Peace Officer Standards and Training Commission, Rule 1110-6-.04](#).

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