§ 7.31 Disposition of moneys and securities.

(a) The commissioner, or the officer or employee of the office designated by him, shall:

1. Receive and turn over to the comptroller for liquidation all bonds, notes, mortgages, trust funds, and other securities and obligations belonging to the office of mental health or any subdivision thereof, except such as may have come into the possession of the said office or any subdivision thereof on account of or for the payment of charges for the care, maintenance, and treatment after January first, nineteen hundred sixty-four of patients at those mental hygiene facilities as defined in section three of the facilities development corporation act, which are under his jurisdiction, in which case the same shall be turned over to the commissioner of taxation and finance as agent for the facilities development corporation for liquidation, and he shall have the authority to transfer all such securities and evidences of indebtedness and to execute on behalf of the office of mental health or any of its facilities or the facilities development corporation a satisfaction and release thereof.

2. Notwithstanding the provisions of sections one hundred six and one hundred twenty-one of the state finance law, pay over all moneys received for the care, maintenance, and treatment after January first, nineteen hundred sixty-four of patients at those mental hygiene facilities as defined in section three of the facilities development corporation act which are under his jurisdiction, less refunds made on account thereof pursuant to section 43.11 of this chapter, to the commissioner of taxation and finance as agent for the facilities development corporation, for the corporate purposes of such corporation, and deposit all other moneys received in a bank designated by the comptroller. He shall submit a statement each month to the comptroller and to the directors of the facilities development corporation showing the amounts so received for the care, maintenance, and treatment of patients at such facilities, the refunds made on account thereof pursuant to section 43.11 of this chapter, and the dates when any such payments were made to the commissioner of taxation and finance. Such statement shall be certified to by the commissioner of taxation and

finance. He shall also submit each month to the comptroller and the directors of the facilities development corporation a separate statement showing the amount of all other moneys received and deposited in a bank designated by the comptroller as aforesaid, the persons from whom and for what purposes received, and the dates when any deposits of such moneys were made. All statements of deposit shall be certified to by the proper officer of the bank receiving the deposits therein specified. He shall make an affidavit each month that the sums so paid over to the commissioner of taxation and finance and deposited in such bank are all the moneys received by him from any source of institutional income to the date of the last payment, or deposit, appearing on either statement and such affidavit shall be filed with the comptroller and the directors of the facilities development corporation. A bank designated by the comptroller to receive the aforesaid deposits shall, before any deposit is made, execute a bond to the people of the state, in a sum approved by the comptroller, for the safekeeping of the funds deposited.

(b) The provisions of this section shall not be applicable to community mental health and developmental disabilities facilities, as defined in section three of the facilities development corporation act, nor to payments made for the care, maintenance, and treatment of patients at such community mental health and developmental disabilities facilities.