§ 1106. Commissions

1. The public administrators of Bronx, Kings, New York, Queens and Richmond counties shall each retain over and above all necessary expenses upon all moneys which shall come into their respective hands the same commissions as are now or may hereafter be allowed by law to fiduciaries under section 2307.

2. The value of any real or personal property and the increment thereof received, disbursed or delivered shall be considered as money in computing commissions, except where the real or personal property has been specifically devised or bequeathed.

3. On the settlement of the account of the public administrator in each instance, notwithstanding the provisions of subdivisions 1 and 2, the court may allow his reasonable and necessary expenses and disbursements and in addition, a reasonable amount for the expenses of his office, to be fixed by the court, and not to exceed the sum allowed in the respective offices of the public administrators as of December 31, 1992 unless prior to the proposed increase the public administrator has notified the administrative board in writing of the amount of the proposed increase and the reason therefor. Unless the administrative board notifies the public administrator in writing that the proposed increase has been approved by the board, the public administrator shall not implement such increase. The board must pass upon the proposed increase within sixty days of receipt of the request from the public administrator.

4. The commissions and allowances provided for by this section may be retained by the respective public administrators in preference to any debts or claims except funeral expenses.

5. The public administrators of Bronx, Kings, New York, Queens and Richmond counties shall not receive to their own use any fees or emoluments in addition to their salaries.