

**31A-22-105 Common control of fiduciary funds permissible.**

Any fiduciary from whom a bond, undertaking, or other obligation is required may agree and arrange with his sureties for the deposit for safekeeping of any and all assets for which he is responsible with a depository institution authorized by law to hold the assets, in a manner which prevents the withdrawal or alienation of any part of the property without the written consent of the sureties, or an order of the court made after notice is given to the sureties and a hearing is held as directed by the court. This deposit agreement does not release or change the fiduciary responsibility of the principal, or the liability of the principal or sureties as established under the bond.

Enacted by Chapter 242, 1985 General Session