

**7-5-13 Collective investment funds.**

- (1) A person authorized to engage in the trust business in this state may:
  - (a) establish collective investment funds that authorize participation by fiduciary or trust accounts of the trust company, its affiliates, or both; and
  - (b) participate in collective investment funds established by an affiliate of the trust company, if:
    - (i) the affiliate is authorized under the laws of its chartering authority to establish a collective investment fund in which its affiliates may participate; and
    - (ii) the plan establishing the collective investment fund specifically authorized the participation.
- (2) Funds held by a trust company may be invested collectively in a collective investment fund in accordance with the rules prescribed by the appropriate governmental regulatory agency or agencies, if this investment is not specifically prohibited under the instrument, judgment, decree, or order creating the regulatory relationship.
- (3) Unless ordered to do so by a court of competent jurisdiction, a trust company operating collective investment funds is not required to render a court accounting with regard to those funds; but it may, by application to the district court, secure approval of such an accounting on such conditions as the court may establish.
- (4) This section applies to all relationships in existence on or after May 1, 1989.

Amended by Chapter 267, 1989 General Session