

**70A-9a-340 Effectiveness of right of recoupment or set-off against deposit account.**

- (1) Except as otherwise provided in Subsection (3), a bank with which a deposit account is maintained may exercise any right of recoupment or set-off against a secured party that holds a security interest in the deposit account.
- (2) Except as otherwise provided in Subsection (3), the application of this chapter to a security interest in a deposit account does not affect a right of recoupment or set-off of the secured party as to a deposit account maintained with the secured party.
- (3) The exercise by a bank of a set-off against a deposit account is ineffective against a secured party that holds a security interest in the deposit account which is perfected by control under Subsection 70A-9a-104(1)(c), if the set-off is based on a claim against the debtor.

Enacted by Chapter 252, 2000 General Session