

1 AN ACT concerning the American flag.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The General Not For Profit Corporation Act of
5 1986 is amended by adding Section 103.30 as follows:

6 (805 ILCS 105/103.30 new)

7 Sec. 103.30. Homeowners' association; American flag.

8 (a) Notwithstanding any provision in the association's
9 declaration, covenants, bylaws, rules, regulations, or other
10 instruments or any construction of any of those instruments
11 by an association's board of directors, a homeowners'
12 association incorporated under this Act may not prohibit the
13 outdoor display of the American flag by a homeowner on that
14 homeowner's property if the American flag is displayed in a
15 manner consistent with Sections 4 through 10 of Chapter 1 of
16 Title 4 of the United States Code. An association may adopt
17 reasonable rules and regulations, consistent with Sections 4
18 through 10 of Chapter 1 of Title 4 of the United States Code,
19 regarding the placement and manner of display of the American
20 flag. An association may not prohibit the installation of a
21 flagpole for the display of the American flag, but the
22 association may adopt reasonable rules and regulations
23 regarding the location and size of flagpoles.

24 (b) As used in this Section:

25 "American flag" means the flag of the United States (as
26 defined in Section 1 of Chapter 1 of Title 4 of the United
27 States Code and the Executive Orders entered in connection
28 with that Section) made of fabric, cloth, or paper displayed
29 from a staff or flagpole or in a window, but "American flag"
30 does not include a depiction or emblem of the American flag
31 made of lights, paint, roofing, siding, paving materials,

1 flora, or balloons, or any other similar building,
2 landscaping, or decorative component.

3 "Homeowners' association" includes a property owners'
4 association, townhome association, and any similar entity,
5 and "homeowner" includes a townhome owner.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.