

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 Condominium Property Act is amended by  
5 adding Section 18.6 as follows:

6 (765 ILCS 605/18.6 new)

7 Sec. 18.6. Display of American flag.

8 (a) Notwithstanding any provision in the declaration,  
9 bylaws, rules, regulations, or agreements or other  
10 instruments of a condominium association or a master  
11 association or a common interest community association or a  
12 board's construction of any of those instruments, a board may  
13 not prohibit the display of the American flag on or within  
14 the limited common areas and facilities of a unit owner or on  
15 the immediately adjacent exterior of the building in which  
16 the unit of a unit owner is located. A board 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. A board may not prohibit the installation of a flagpole  
21 for the display of the American flag on or within the limited  
22 common areas and facilities of a unit owner or on the  
23 immediately adjacent exterior of the building in which the  
24 unit of a unit owner is located, but a board may adopt  
25 reasonable rules and regulations regarding the location and  
26 size of flagpoles.

27 (b) As used in this Section:

28 "American flag" means the flag of the United States (as  
29 defined in Section 1 of Chapter 1 of Title 4 of the United  
30 States Code and the Executive Orders entered in connection  
31 with that Section) made of fabric, cloth, or paper displayed

1 from a staff or flagpole or in a window, but "American flag"  
2 does not include a depiction or emblem of the American flag  
3 made of lights, paint, roofing, siding, paving materials,  
4 flora, or balloons, or any other similar building,  
5 landscaping, or decorative component.

6 "Board" includes a board of managers or a board of a  
7 master association or a common interest community  
8 association.

9 Section 10. The General Not For Profit Corporation Act  
10 of 1986 is amended by adding Section 103.30 as follows:

11 (805 ILCS 105/103.30 new)

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

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

29 (b) As used in this Section:

30 "American flag" means the flag of the United States (as  
31 defined in Section 1 of Chapter 1 of Title 4 of the United  
32 States Code and the Executive Orders entered in connection

1 with that Section) made of fabric, cloth, or paper displayed  
2 from a staff or flagpole or in a window, but "American flag"  
3 does not include a depiction or emblem of the American flag  
4 made of lights, paint, roofing, siding, paving materials,  
5 flora, or balloons, or any other similar building,  
6 landscaping, or decorative component.

7 "Homeowners' association" includes a property owners'  
8 association, townhome association, and any similar entity,  
9 and "homeowner" includes a townhome owner.