

1 AN ACT concerning flags.

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 or military 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 or a military
14 flag, or both, on or within the limited common areas and
15 facilities of a unit owner or on the immediately adjacent
16 exterior of the building in which the unit of a unit owner is
17 located. A board may adopt reasonable rules and regulations,
18 consistent with Sections 4 through 10 of Chapter 1 of Title 4
19 of the United States Code, regarding the placement and manner
20 of display of the American flag and a board may adopt
21 reasonable rules and regulations regarding the placement and
22 manner of display of a military flag. A board may not
23 prohibit the installation of a flagpole for the display of
24 the American flag or a military flag, or both, on or within
25 the limited common areas and facilities of a unit owner or on
26 the immediately adjacent exterior of the building in which
27 the unit of a unit owner is located, but a board may adopt
28 reasonable rules and regulations regarding the location and
29 size of flagpoles.

30 (b) As used in this Section:

31 "American flag" means the flag of the United States (as

1 defined in Section 1 of Chapter 1 of Title 4 of the United
 2 States Code and the Executive Orders entered in connection
 3 with that Section) made of fabric, cloth, or paper displayed
 4 from a staff or flagpole or in a window, but "American flag"
 5 does not include a depiction or emblem of the American flag
 6 made of lights, paint, roofing, siding, paving materials,
 7 flora, or balloons, or any other similar building,
 8 landscaping, or decorative component.

9 "Board" includes a board of managers or a board of a
 10 master association or a common interest community
 11 association.

12 "Military flag" means a flag of any branch of the United
 13 States armed forces or the Illinois National Guard made of
 14 fabric, cloth, or paper displayed from a staff or flagpole or
 15 in a window, but "military flag" does not include a depiction
 16 or emblem of a military flag made of lights, paint, roofing,
 17 siding, paving materials, flora, or balloons, or any other
 18 similar building, landscaping, or decorative component.

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

21 (805 ILCS 105/103.30 new)

22 Sec. 103.30. Homeowners' association; American flag or
 23 military flag.

24 (a) Notwithstanding any provision in the association's
 25 declaration, covenants, bylaws, rules, regulations, or other
 26 instruments or any construction of any of those instruments
 27 by an association's board of directors, a homeowners'
 28 association incorporated under this Act may not prohibit the
 29 outdoor display of the American flag or a military flag, or
 30 both, by a homeowner on that homeowner's property if the
 31 American flag is displayed in a manner consistent with
 32 Sections 4 through 10 of Chapter 1 of Title 4 of the United

1 States Code and a military flag is displayed in accordance
2 with any reasonable rules and regulations adopted by the
3 association. An association may adopt reasonable rules and
4 regulations, consistent with Sections 4 through 10 of Chapter
5 1 of Title 4 of the United States Code, regarding the
6 placement and manner of display of the American flag and an
7 association may adopt reasonable rules and regulations
8 regarding the placement and manner of display of a military
9 flag. An association may not prohibit the installation of a
10 flagpole for the display of the American flag or a military
11 flag, or both, but the association may adopt reasonable rules
12 and regulations regarding the location and size of flagpoles.

13 (b) As used in this Section:

14 "American flag" means the flag of the United States (as
15 defined in Section 1 of Chapter 1 of Title 4 of the United
16 States Code and the Executive Orders entered in connection
17 with that Section) made of fabric, cloth, or paper displayed
18 from a staff or flagpole or in a window, but "American flag"
19 does not include a depiction or emblem of the American flag
20 made of lights, paint, roofing, siding, paving materials,
21 flora, or balloons, or any other similar building,
22 landscaping, or decorative component.

23 "Homeowners' association" includes a property owners'
24 association, townhome association, and any similar entity,
25 and "homeowner" includes a townhome owner.

26 "Military flag" means a flag of any branch of the United
27 States armed forces or the Illinois National Guard made of
28 fabric, cloth, or paper displayed from a staff or flagpole or
29 in a window, but "military flag" does not include a depiction
30 or emblem of a military flag made of lights, paint, roofing,
31 siding, paving materials, flora, or balloons, or any other

1 similar building, landscaping, or decorative component.