

**Lee County Board
Dixon, Illinois**

RESOLUTION NO. _____

**RESOLUTION ADOPTING A FLAG FLYING AND DISPLAY POLICY
FOR LEE COUNTY IN CONSIDERATION
OF U.S. SUPREME COURT CASE SHURTLEFF V. CITY OF BOSTON**

WHEREAS, the Lee County Board has the authority to adopt ordinances, resolutions, policies, and promulgate rules and regulations that pertain to its government and affairs; and

WHEREAS, on May 2, 2022, the United States Supreme Court issued its 9-0 unanimous opinion in *Shurtleff v. City of Boston*, 142 S. Ct. 1583 pertaining to the display of flags on a public flagpole; and

WHEREAS, considering *Shurtleff v. City of Boston*, the Lee County Board desires to establish a flag flying and display policy.

NOW, THEREFORE, BE IT RESOLVED by this County Board of Lee County, Illinois that the Flag Flying and Display Policy as set forth in Exhibit A to this Resolution is hereby adopted; and

BE IT FURTHER RESOLVED that this policy shall be applicable for all property owned, leased or otherwise controlled by the County today and as may be in the future; and

BE IT FURTHER RESOLVED that this policy shall be in full force and effect upon adoption; and

BE IT FURTHER RESOLVED that the County Clerk is hereby authorized to distribute a copy of this Resolution to the Facilities Director, Chief Bailiff, County Sheriff and County Administrator.

PASSED BY THE LEE COUNTY BOARD

THIS _____ DAY OF _____, 2023

ATTEST:

BY: _____
Lee County Board Chairman

BY: _____
Lee County Clerk

**Lee County Board
Dixon, Illinois**

EXHIBIT A

TO RESOLUTION _____

FLAG FLYING AND DISPLAY POLICY

The following policy shall regulate the County flagpoles and flags authorized to be flown or otherwise displayed on or over County owned, leased, or otherwise controlled buildings and property:

1. The County's flagpoles are not intended to serve as a public forum for private expression by the public;
2. The flags that the County displays on County flagpoles constitute government speech by the County and that any flags flown on County flagpoles are an expression of Lee County government's official sentiment and represent Lee County's support of what those flags represent;
3. The County has a duty pursuant to the Illinois Flag Display Act 5 ILCS 465/1 to display the United States Flag and may also display the MIA flag;
4. The County may also display the State of Illinois flag and the Lee County flag on County flagpoles;
5. Any "ceremonial flags" may only be displayed with the County Board's approval through the passage, by 2/3 majority, of an ordinance, resolution, or proclamation which shall include language in substantially the following form, "*The display of the "ceremonial flag" constitutes government speech by the County. Any "ceremonial flag" flown on County flagpoles are an expression of Lee County government's official sentiment and represent Lee County's support of what that flag represents.*"