Loopholes ‘distill’ La. drinking law

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Beginning today, anyone under 21 can no longer legally purchase, publicly possess or consume alcohol.

But, the state’s new drinking age law applies only to young people who can’t fit through any of the law’s many loopholes. “Because of the exemptions that are written into the law, it is going to be more difficult to enforce,” said Capt. George Armbruster, a spokesman for the Sheriff’s Office.

“We are not sure how we will enforce the law,” added Lt. Mike Jones, public information officer for City Police.

The law hasn’t changed for anyone under 18 years old, and law enforcement officials say they aren’t going to change their policies on enforcing that part of the law. “The only new part is the part about 18- to 21-year-olds,” Armbruster said. The difficulty with that section are the many exemptions, he said.

According to the law, anyone over 18 years old and under 21 can drink or possess alcoholic beverages if:
- they turn 20 before Sept. 30 of this year;
- it is prescribed by a licensed authority for medical purposes;
- it is in private residences, private clubs or established residences; or
- they are employed by a company licensed for sale, handling, transport or dispensing of an alcoholic beverage.

Armbruster said the Sheriff’s Office will investigate violations if and when it receives any complaints concerning the 18- to 21-year-olds. The investigation is necessary to determine if a violation occurred or if any of the exemptions applied, he said.

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Wording in the law would make it “null and void” if the federal government drops its requirement that states have a 21-year-old drinking age law. The U.S. Supreme Court is scheduled to rule on the constitutionality of the federal law.

Construction of the Louisiana law also makes it vague on several points, posing more difficulties in interpretation, local officials say.

For example, although it is illegal for anyone under 21 to purchase alcohol, the law doesn’t specify if it is illegal to sell it to people in the older age group.

“The ultimate judicial interpretation of this portion may well have significant impact on the law’s enforcement,” Jones said.