

(I) IMPRISONMENT NOT EXCEEDING 90 DAYS OR A FINE NOT EXCEEDING \$1,000 OR BOTH; AND

(II) PSYCHOLOGICAL COUNSELING, AS A CONDITION OF SENTENCING, THAT IS TO BE PAID FOR BY THE DEFENDANT.

(C) (1) A PERSON MAY NOT:

(I) INTENTIONALLY MUTILATE, TORTURE, CRUELLY BEAT, OR CRUELLY KILL AN ANIMAL;

(II) CAUSE, PROCURE, OR AUTHORIZE AN ACT DESCRIBED IN ITEM (I) OF THIS PARAGRAPH;

(III) USE OR ALLOW A DOG TO BE USED IN OR ARRANGE OR CONDUCT A DOGFIGHT;

(IV) USE OR ALLOW TO BE USED A BIRD, FOWL, OR COCK TO FIGHT WITH ANOTHER ANIMAL, COMMONLY KNOWN AS COCKFIGHTING; OR

(V) EXCEPT IN THE CASE OF SELF-DEFENSE, INTENTIONALLY INFLICT BODILY HARM, PERMANENT DISABILITY, OR DEATH ON AN ANIMAL OWNED OR USED BY A LAW ENFORCEMENT UNIT.

(2) A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF THE FELONY OF AGGRAVATED CRUELTY TO ANIMALS AND ON CONVICTION IS SUBJECT TO:

(I) IMPRISONMENT NOT EXCEEDING 3 YEARS OR A FINE NOT EXCEEDING \$5,000 OR BOTH; AND

(II) PSYCHOLOGICAL COUNSELING, AS A CONDITION OF SENTENCE, THAT IS TO BE PAID FOR BY THE DEFENDANT.

(D) (1) THIS SECTION DOES NOT APPLY TO:

(I) CUSTOMARY AND NORMAL VETERINARY AND AGRICULTURAL HUSBANDRY PRACTICES, INCLUDING, BUT NOT LIMITED TO, DEHORNING, CASTRATION, DOCKING TAILS, OR LIMIT FEEDING; OR

(II) RESEARCH CONDUCTED IN ACCORDANCE WITH PROTOCOLS APPROVED BY AN ANIMAL CARE AND USE COMMITTEE, AS REQUIRED UNDER THE FEDERAL ANIMAL WELFARE ACT OR THE FEDERAL HEALTH RESEARCH EXTENSION ACT.

(2) WHEN ACTIVITIES IN WHICH PHYSICAL PAIN MAY UNAVOIDABLY BE CAUSED TO ANIMALS, AS IN FOOD PROCESSING, PEST ELIMINATION, ANIMAL TRAINING, OR HUNTING, "CRUELTY" MEANS A FAILURE TO EMPLOY THE MOST HUMANE METHOD REASONABLY AVAILABLE.

(3) A PERSON MAY NOT BE HELD LIABLE FOR CRIMINAL PROSECUTION FOR NORMAL HUMAN ACTIVITIES IN WHICH THE INFLICTION OF PAIN TO AN ANIMAL IS PURELY INCIDENTAL AND UNAVOIDABLE.