State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

IN RE:	)	
	)	
BOBBY ALLEN WATKINS,	)	**Case No. 160526297C**
	)	
Renewal Applicant.	)	

ORDER REFUSING TO RENEW INSURANCE PRODUCER LICENSE

On June 2, 2016, the Consumer Affairs Division submitted a Petition to the Director alleging cause to refuse to renew Bobby Allen Watkins's resident insurance producer license. After reviewing the Petition, the Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Bobby Allen Watkins ("Watkins") is a Missouri resident with a residential address of 203 E. Broadway, Hayti, Missouri, 63851, and a business and mailing address of 303 S. 3rd St., Hayti, Missouri, 63851.

2. The Department of Insurance, Financial Institutions and Professional Registration ("Department") issued an individual resident insurance producer license[1] to Watkins on June 8, 1994. Watkins renewed the license through the years. The license will expire on June 8, 2016.

3. The Department received Watkins's application to renew his resident insurance producer license ("Application") on May 26, 2016.

4. With his Application, Watkins also submitted an "Application for Written Consent to Engage in the Business of Insurance Pursuant To 18 U.S.C. § 1033 and 1034" ("Section 1033 Application").

5. On his Application and his Section 1033 Application, Watkins disclosed that, after a bench trial, the Dunklin County Circuit Court convicted Watkins of the Class C Felony of Theft/Stealing (Value of Property or Services is $500 or More But Less Than $25,000) and the Class C Felony of Forgery. *State v. Bobby A. Watkins*,

[1] The Department originally issued an insurance agent license to Watkins, and effective January 1, 2003, the legislature converted Missouri insurance agent licenses to insurance producer licenses. § 375.012.3 RSMo (Supp. 2013).

Dunklin Co. Cir. Ct., Case No. 12DU-CR00896. The criminal Information charged Watkins as follows:

Count I: Watkins committed the Class C Felony of Theft/Stealing (Value of Property or Services is $500 or More But Less Than $25,000), in violation of § 570.030 RSMo,[2] in that on or about April 6, 2011, Watkins "appropriated money of a value of at least five hundred dollars which property was in the charge of Pemiscot County, and [Watkins] appropriated such property from Pemiscot County and with the purpose to deprive them thereof by deceit in that [Watkins] represented to Pemiscot County that a job work order for repairs and parts made in the name of Joe Black was legitimate and accurate, which representation was false and known by [Watkins] to be false and Pemiscot County relied on the representation and was thereby induced to part with such property."

Count II: Watkins committed the Class C Felony of Forgery, in violation of § 570.090.1(3), in that on or about April 6, 2011, Watkins "with purpose to defraud, made a job work order for repairs and parts made in the name of Joe Black so that it purported to have a genuineness that it did not possess."

Id.

6. On February 18, 2016, the court entered its judgment sentencing Watkins on each count to four (4) years' incarceration in the Missouri Department of Corrections, with the sentences to run concurrently, but suspended the execution of sentence and placed Watkins on three (3) years' supervised probation. *Id.*

7. At the time of Watkins's commission and conviction of the crimes of the Class C Felony of Theft/Stealing (Value of Property or Services is $500 or More But Less Than $25,000) and the Class C Felony of Forgery, Watkins held the office of Mayor of Hayti, Missouri. In its judgment, the circuit court ordered Watkins to, *inter alia*, pay restitution and forfeit his office as mayor. *Id.*

8. In his Section 1033 Application, Watkins explained that his criminal case is currently on appeal. With his Application, Watkins provided a copy of the docket sheet from *State v. Bobby A. Watkins*, Dunklin Co. Cir. Ct., Case No. 12DU-CR00896, that indicates Watkins's attorney filed a Notice of Appeal on February 26, 2016, with the Missouri Court of Appeals, Southern District. *State v. Bobby A. Watkins*, SD34350.

[2] All references to criminal statutes are to those contained in the version of the Revised Statutes of Missouri under which each judgment was rendered.

9. Also in his Section 1033 Application, Watkins explained:

> I just want to be able to continue my career as Insurance Agent, which I have been for the last 22 years. I became an insurance agent when I was 21 years old [and] insurance has been my only real job as an adult. I would not do anything to jeopardize the integrity of the insurance industry as you can see from my flawless record in the insurance world.

CONCLUSIONS OF LAW

10. Section 375.141 RSMo (Supp. 2013)[3] provides, in part:

> 1. The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:
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> * * *
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> (6) Having been convicted of a felony or crime involving moral turpitude; [or]
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> * * *
>
> (8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere[.]

11. The Director may refuse to renew the resident insurance producer license of Watkins pursuant to § 375.141.1(6) because he has been convicted of two (2) felonies:

    a. Class C Felony of Theft/Stealing (Value of Property or Services is $500 or More But Less Than $25,000). *State v. Bobby A. Watkins*, Dunklin Co. Cir. Ct., Case No. 12DU-CR00896.

    b. Class C Felony of Forgery. *Id.*

12. The Director may refuse to renew the resident insurance producer license of Watkins pursuant to § 375.141.1(6) because he has been convicted of two (2) crimes involving moral turpitude:

    a. Class C Felony of Theft/Stealing (Value of Property or Services is $500 or More But Less Than $25,000). *State v. Bobby A. Watkins*, Dunklin Co. Cir. Ct., Case No. 12DU-CR00896.

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[3] All statutory references are to RSMo (2000) as updated by RSMo (Supp. 2013) unless otherwise noted.

b. Class C Felony of Forgery. *Id.*

13. Each felony conviction or conviction of a crime involving moral turpitude is a separate and sufficient ground for refusal pursuant to § 375.141.1(6).

14. The Director may refuse to renew the insurance producer license of Watkins pursuant to § 375.141.1(8) because he used fraudulent or dishonest practices, or demonstrated untrustworthiness or financial irresponsibility in the conduct of business when, while mayor of Hayti, Missouri, Watkins stole money from the Pemiscot County Commission through a phony work order approved by the Pemiscot County Commission based on Watkins's false representations. Watkins actively participated in the scheme to defraud the Pemiscot County Commission and benefitted financially from the scheme while mayor.

15. The Director has considered the circumstances surrounding Watkins's renewal application. Renewing Watkins's resident insurance producer license would not be in the interest of the public. Accordingly, the Director exercises his discretion to refuse to renew Watkins's resident insurance producer license.

16. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that Bobby Allen Watkins's application to renew his resident insurance producer license is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 6th DAY OF June, 2016.

JOHN M. HUFF
DIRECTOR

NOTICE

TO: Applicant and any unnamed persons aggrieved by this Order:

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission of Missouri, P.O. Box 1557, Jefferson City, Missouri, within 30 days after the mailing of this notice pursuant to Section 621.120, RSMo. Pursuant to 1 CSR 15-3.290, unless you send your complaint by registered or certified mail, it will not be considered filed until the Administrative Hearing Commission receives it.

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of June, 2016, a copy of the foregoing Order and Notice was served upon the Renewal Applicant in this matter by UPS, signature required, at the following address:

Bobby Allen Watkins
303 S. 3rd St.
Hayti, MO 63851

Tracking No. 1Z0R15W84299350281

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