



State of Missouri

**DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND
PROFESSIONAL REGISTRATION**

IN RE:

MICHAEL JAMES HARRIS II,

Applicant.

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Case No. 161110484C

ORDER REFUSING TO ISSUE AN INSURANCE PRODUCER LICENSE

On April 14, 2017, the Division of Consumer Affairs ("Division") submitted a Petition to the Director of the Department of Insurance, Financial Institutions and Professional Registration ("Director" of the "Department") alleging cause to refuse to issue a resident insurance producer license to Michael James Harris II. After reviewing the Petition, 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. Michael James Harris II ("Harris") is a Missouri resident with a residential address of 6906 East 140th Place, Grandview, Missouri 64030 and a business and mailing address of 7299 West 98th Terrace, Suite 100, Overland Park, Kansas 66212.
2. The Department received Harris's electronic application for a resident insurance producer license ("Application") on May 11, 2016.
3. Background Question No. 1B of the Application asks, in part:

Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?
4. Harris answered "Yes" in response to Background Question No. 1B.
5. With his Application, Harris submitted a letter to further explain his response to Background Question No. 1B and court records evidencing the following convictions:
 - a. On February 7, 2008, Harris pled guilty to and was convicted of Attempted

Sale of Marijuana, a Level 3 Felony, in violation of K.S.A. 65-4163(a).¹ The court sentenced him to nine (9) months' incarceration, eighteen (18) months' supervised probation, and twenty-four (24) months' post-release supervision. *State of Kansas v. Michael James Harris II*, Johnson Co. Dist. Ct., Case No. 07CR2153.

- b. On March 25, 2009, Harris pled guilty to and was convicted of Sale of Marijuana, a Level 3 Felony, in violation of K.S.A. 65-4163(a) and Sale of Cocaine, a Level 3 Felony, in violation of K.S.A. 65-4161(a). For Harris's Sale of Marijuana conviction, the court sentenced Harris to twenty-four (24) months' incarceration, eighteen (18) months' supervised probation, and twenty-four (24) months' post-release supervision. For Harris's Sale of Cocaine conviction, the court sentenced Harris to fifteen (15) months' incarceration, eighteen (18) months' supervised probation, and twenty-four (24) months' post-release supervision. Both sentences were ordered to be served consecutive to each other and to the sentence entered in case number 07CR2153. *State of Kansas v. Michael J. Harris*, Johnson Co. Dist. Ct., Case No. 08CR1763.

CONCLUSIONS OF LAW

6. Section 375.141 RSMo (Supp. 2013)² 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:

* * *

(6) Having been convicted of a felony or crime involving moral turpitude[.]

7. The Director may refuse to issue a resident insurance producer license to Harris pursuant to § 375.141.1(6) because Harris has been convicted of three (3) felonies:

- a. Attempted Sale of Marijuana, a Level 3 Felony. *State of Kansas v. Michael James Harris II*, Johnson Co. Dist. Ct., Case No. 07CR2153.
- b. Sale of Marijuana, a Level 3 Felony. *State of Kansas v. Michael J. Harris*, Johnson Co. Dist. Ct., Case No. 08CR1763.

¹ All criminal statutory references are to those contained in the version of the Kansas Statutes Annotated under which the court rendered judgment.

² All civil statutory references are to the Revised Statutes of Missouri (2000) as updated by the 2013 Supplement unless otherwise noted.

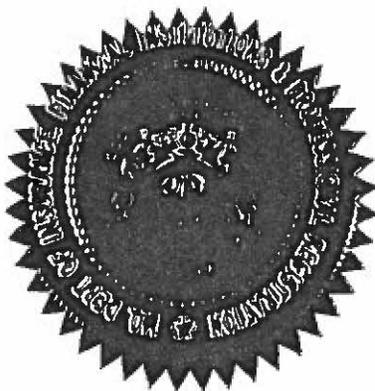
- c. Sale of Cocaine, a Level 3 Felony. *Id.*
8. The Director may refuse to issue a resident insurance producer license to Harris pursuant to § 375.141.1(6) because Harris has been convicted of three (3) crimes involving moral turpitude:
 - a. Attempted Sale of Marijuana, a Level 3 Felony. *State of Kansas v. Michael James Harris II*, Johnson Co. Dist. Ct., Case No. 07CR2153.
 - b. Sale of Marijuana, a Level 3 Felony. *State of Kansas v. Michael J. Harris*, Johnson Co. Dist. Ct., Case No. 08CR1763.
 - c. Sale of Cocaine, a Level 3 Felony. *Id.*
 9. Each conviction of a felony or crime involving moral turpitude is a separate and sufficient cause for refusal pursuant to § 375.141.1(6).
 10. The Director has considered Harris's history and all of the circumstances surrounding Harris's Application. Granting Harris a resident insurance producer license would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to issue a resident insurance producer license to Harris.
 11. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that Michael James Harris II's application for an individual resident insurance producer license is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 11th DAY OF July, 2017.



Chlora Lindley-Myers

Chlora Lindley-Myers, Director
Missouri Department of Insurance, Financial
Institutions and Professional Registration

NOTICE

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

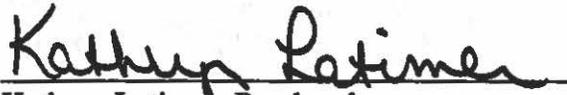
You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission of Missouri, P.O. Box 1557, Jefferson City, Missouri, within 30 days after the mailing of this notice pursuant to Section 621.120, RSMo. Pursuant to 1 CSR 15-3.290, unless you send 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 12th day of July, 2017, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, at the following address:

Michael James Harris II
6906 East 140th Place
Grandview, Missouri 64030

Tracking No. 1ZOR15W84295273738



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