



OREGON DEPARTMENT
of VETERANS' AFFAIRS

HB 2559 – Oregon Definition of a Veteran

House Emergency Management, General Government and Veteran Affairs | February 25, 2025



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State Definition of a Veteran

ORS 408.225

(f) “Veteran” means a person who:

A. Served on active duty with the Armed Forces of the United States:

(i) For a period of more than 90 consecutive days beginning on or before January 31, 1955, and was discharged or released under **honorable conditions**;

(ii) For a period of more than 178 consecutive days beginning after January 31, 1955, and was discharged or released from active duty under honorable conditions; (iii) For 178 days or less and was discharged or released from active duty under **honorable conditions** because of a service-connected disability;

(iv) For 178 days or less and was discharged or released from active duty under **honorable conditions** and has a disability rating from the United States Department of Veterans Affairs; or

(v) For at least one day in a combat zone and was discharged or released from active duty under **honorable conditions**;

B. Received a combat or campaign ribbon or an expeditionary medal for service in the Armed Forces of the United States and was discharged or released from active duty under **honorable conditions**; or

C. Is receiving a nonservice-connected pension from the United States Department of Veterans Affairs.

(2) As used in subsection (1)(f) of this section, “active duty does not include attendance at a school under military orders, except schooling incident to an active enlistment or a regular tour of duty, or normal military training as a reserve officer or member of an organized reserve or a National Guard unit.



U.S. Department of Veterans Affairs Veteran Definition

Department of Defense Classification of Discharge

The VA defines the word veteran as “a person who served in the **active** military, naval, air, or space service, and who was discharged or released therefrom under conditions other than dishonorable.” **These discharges can only be determined by the Department of Defense (DOD).**

Service Time

For VA purposes, when it comes to the definition of a veteran, **active** military, naval, or air service includes not only active duty members of the United States Army, Navy, Marine Corps, Air Force, Space Force, and Coast Guard service, but can include members of the Reserves, Air or Army National Guard, or military academies in certain circumstances.

DOD Discharge Separations and Discharge Conditions

Honorable

Honorable
General (Under Honorable Conditions)

Uncharacterized (Other Than Dishonorable)

Entry Level Separation
Void Enlistment or Induction (Upon Review)
Dropped From the Rolls (Upon Review)

Dishonorable

Other Than Honorable
Dishonorable
Bad Conduct Discharge



U.S. Department of Veterans Affairs

Character of Service Determination

38 CFR 3.12 provides the Department of Veterans Affairs (VA) the ability to examine possible mitigating circumstances surrounding the veteran's service and their DOD discharge and in certain **compelling circumstances**, the VA can provide an exemption to determine that a veteran is "Honorable for VA Purposes".

3.12(c) Discharge Conditions – What is **not considered**

1. As a conscientious objector who refused to perform military duty, wear the uniform, or comply with lawful orders of competent military authorities.
2. By reason of the sentence of a general court-martial
3. Resignation by an officer for the good of the service.
4. As a deserter
5. As an alien during a period of hostilities, where it is affirmatively shown that the former service member requested their release.
6. By reason of discharge under Other Than Honorable conditions issued as a result of an absence without official leave (AWOL) for a continuous period of at least 180 days.

3.12(d)(1) Regulatory bars to benefits

1. Discharge in lieu of a trial.
2. Mutiny or espionage

Compelling Circumstances **considered**

3.12(e)(2) Reasons for prolonged AWOL or Misconduct

1. Mental or cognitive impairment at the time of incident or misconduct
2. Physical health, physical trauma, or medication side effects
3. Combat-related or overseas-related hardship
4. Sexual abuse / assault
5. Duress, coercion, or desperation
6. Family obligations or comparable obligations to third parties
7. Age, education, cultural background, and judgmental maturity

3.12(d)(2) Regulatory bars to benefits

1. An offense involving moral turpitude
2. Willful and persistent misconduct

HB 2559 aligns Oregon's definition of a veteran with 38 USC 101 and 38 CFR 3.12, so all federally eligible active-duty veterans of the armed services are recognized in Oregon.