

The bill also specifies, with an exception for a property that qualifies as a bed and breakfast, that a building designed for use predominantly as a place of residency by a person, a family, or families but that is actually used, or available for use, to provide short-term stays only is a hotel and motel.

This statement is a key definitional provision found in **Colorado legislation**—specifically a bill aimed at **reclassifying short-term rental (STR) properties** for tax and regulatory purposes.

Meaning and Context

The provision establishes a functional definition that converts certain residential-style properties into a **commercial** classification, specifically **"hotel and motel,"** based on how they are used.

1. The Core Rule

The rule states that a building (or part of one) that meets these two conditions is legally classified as a "hotel and motel":

1. It was **designed** predominantly as a residential dwelling (for a person, family, or families).
2. It is **actually used** or **available for use** *only* to provide **short-term stays** (typically defined as less than 30 consecutive days).

2. The Exception

The clause includes a specific exemption for a property that qualifies as a **bed and breakfast** (B&B). This means traditional, owner-occupied B&Bs are not automatically reclassified under this rule, as they are typically already subject to certain commercial lodging regulations.

3. Legislative Goal (Taxation)

This language is taken from various Colorado legislative attempts (such as components of **Senate Bill 33** and related proposals) intended to address the boom in non-owner-occupied short-term rentals.

- The primary goal is to shift the property tax assessment for these investment-focused STRs from the **lower residential rate** (e.g., around) to the **higher commercial lodging rate** (e.g.,) on a portion or all of the property's value.
- By legally classifying a residential-designed property that is *only* used for short-term lodging as a "hotel and motel," the legislature provides the legal justification for county assessors to apply the commercial property tax rate.

In essence, the bill seeks to distinguish between someone occasionally renting out their primary or secondary home and a property that operates as a full-time commercial lodging business under the guise of a residential unit.

[Colorado short-term rental regulation updates for 2025: what hosts need to know](#) explains the complex and varying regulations and legislative efforts regarding short-term rentals in Colorado, which provides context for the quoted definition.