§ 531-a. Testimony by telephone, audio-visual means or other electronic means. (a) In any proceeding under this article, the court may permit a party or a witness to be deposed or to testify by telephone, audio-visual means, or other electronic means at a designated family court or other location:

(i) where such party or witness resides in a county other than that of the family court where the case is pending and that of any contiguous county; provided, however, that for the purposes of this section, the five counties of New York city shall be treated as one county;

(ii) where such party or witness is presently incarcerated and will be incarcerated on the date on which the hearing or deposition is scheduled and is not expected to be released within a reasonable period of time after the date on which the hearing is scheduled; or

(iii) where the court determines that it would be an undue hardship for such party or witness to testify or to be deposed at the family court where the case is pending.

(b) Any such deposition or testimony taken by telephone, audio-visual means or other electronic means in accordance with subdivision (a) of this section shall be recorded and preserved for transcription. Where a party or witness is deposed or testifies by telephone, audio-visual or other electronic means pursuant to this section, documentary evidence referred to by a party or witness or the court may be transmitted by facsimile, telecopier, or other electronic means and may not be excluded from evidence by reason of an objection based on the means of transmission. The chief administrator of the courts shall promulgate rules to facilitate the taking of testimony by telephone, audio-visual means or other electronic means.